

# FEDERAL REGISTER

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## The President

[Findings Under War Labor Disputes Act]

THE WHITE HOUSE,  
Washington, August 10, 1943.

MY DEAR MADAM SECRETARY: You are hereby authorized and directed to exercise the power vested in the President to make findings under section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Cong.). You are further authorized to secure from all departments and agencies of the Government such information as may be necessary in the exercise of this power.

Notice of all findings issued under this directive shall be given by publication in the FEDERAL REGISTER. Such additional notice may be given as you deem desirable.

Sincerely yours,

FRANKLIN D ROOSEVELT

THE HONORABLE,  
THE SECRETARY OF LABOR.

[F. R. Doc. 43-13240; Filed, August 13, 1943;  
11:43 a. m.]

## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

##### PART 23—THE FEDERAL LAND BANK OF COLUMBIA

###### FEES

Section 23.1 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 23.1 *Loan application fees.* The following fees shall be charged in connection with loan applications:

(a) *Appraisal fee.* An appraisal fee of \$10 is payable at the time the application is filed. If the amount of the closed loan exceeds \$5,000, an additional fee of \$1 for each \$1,000 or fraction thereof above \$5,000 will be collected from the loan proceeds.

(b) *Non-resident applicants.* If the applicant does not reside within the Third Farm Credit District a fee of \$7.50 in addition to the regular appraisal fee will be charged to cover the cost of securing a separate appraisal report from the district of his residence.

(c) *Reappraisal fee.* If a reappraisal is required because of delay for which the Bank is not responsible, or is made at the applicant's request, the regular appraisal fee will be charged for the reappraisal.

(d) *Return of fee.* If the application is withdrawn or cancelled before appraisal by the Bank, the appraisal fee will be refunded to the applicant. If the application is withdrawn or cancelled after appraisal by the Bank, the appraisal fee will not be refunded to the applicant.

(e) *Loans on naval stores farms.* The regular appraisal fee will apply to this type of application. If preliminary appraisal and review are made, none of the fee will be refunded. If it is determined by the Bank and the applicant, after preliminary appraisal and contact with the applicant, that the application is to be handled to a definite conclusion, a fee of 5¢ per acre for timber cruise will be charged, to be paid prior to the making of the cruise. If the cost of the cruise is less than the timber cruise fee previously collected, the difference will be refunded to the applicant.

(Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth," 723 (e), 1016 (e) and Sup.; 6 CFR 19.322 and 19.326) [Res. Bd. Dir. July 21, 1943]

[SEAL] THE FEDERAL LAND BANK  
OF COLUMBIA,  
By JULIAN H. SCARBOROUGH,  
President.

Confirmed:

C. M. EARLE, Jr.  
Secretary.

[F. R. Doc. 43-13187; Filed, August 12, 1943;  
5:10 p. m.]

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[FCA 329]

### PART 27—THE FEDERAL LAND BANK OF SAINT PAUL

#### FEES

Section 27.10 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 27.10 Fees for subordination of mortgages and contracts, grants of and consents to easements, partial releases of mortgage security, partial conveyances of contract security, substitution of security and division of loans, Federal Land Bank and/or Land Bank Commissioner and/or Federal Farm Mortgage Corporation mortgages and land contracts. The following fees and charges shall be paid to The Federal Land Bank of Saint Paul in connection with Federal Land Bank and/or Land Bank Commissioner and/or Federal Farm Mortgage Corporation mortgages and land contracts:

(a) Where an appraisal by a Land Bank appraiser is necessary, a fee of ten dollars (\$10.00) shall be paid in connection with each application for subordination of mortgages and contracts, partial releases of mortgage security, partial conveyances of contract security and grants of and consents to easements.

(b) Where an appraisal by a Land Bank appraiser is necessary, a fee of ten dollars (\$10.00) shall be paid for each appraisal made in connection with an application for substitution of security.

(c) Where an appraisal by a Land Bank appraiser is necessary in connection with an application for division of a Federal Land Bank and/or Land Bank Commissioner loan, only one fee of Five dollars (\$5.00) shall be paid, regardless of the number of parts into which it or they may be divided.

(d) Where new loans are made involving a part of the security underlying an existing loan, partial releases necessitated thereby shall be made without fees.

Section 27.11 is hereby added to read as follows:

§ 27.11 Fees for release of personal liability in connection with Federal Land Bank and Land Bank Commissioner loans. Where an appraisal by a Land Bank appraiser is necessary, a fee of ten dollars (\$10.00) shall be paid in connection with an application for release of personal liability upon transfer of title to the mortgaged property. (Sec. 13, "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, Sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.322, 19.326) [Res. Bd. Dir., June 23, 1943]

(Sec. 13 "Ninth", 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e) and Sup.; 6 CFR 19.322, 19.326) [Res. Bd. Dir., June 23, 1943]

[SEAL] The FEDERAL LAND BANK OF SAINT PAUL,

By P. N. JOHNSON,  
Vice President.

Confirmed:

D. S. GRAY,  
Vice President.

[F. R. Doc. 43-13168; Filed, August 12, 1943; 5:10 p. m.]



## TITLE 10—ARMY: WAR DEPARTMENT

## Chapter VII—Personnel

## PART 77—MEDICAL AND DENTAL ATTENDANCE

## ACCOUNTS FOR CONSULTATION

Section 77.3 (e) is amended as follows:

§ 77.3 *Civilian medical attendance for military patients at public expense* \* \* \*

(e) *Consultation.* Accounts for consultation will not be allowed except in extraordinary cases, and then only upon the express approval of The Surgeon General or his authorized representative. (R.S. 161; 5 U.S.C. 22) [Par. 3e, AR 40-505, 1 September 1942, as amended by C 5, 22 July 1943]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 43-13243; Filed, August 13, 1943; 11:48 a. m.]

## PART 79b—WOMEN'S ARMY AUXILIARY CORPS

## ENLISTMENT OF WOMEN IN ARMY OF UNITED STATES

Section 79b.17 is added as follows:

§ 79b.17 *Enlistment in the Women's Army Corps, Army of the United States—*

(a) *Authority.* Public Law 110, 78th Congress, approved 1 July 1943, created, as a component of the Army of the United States, the Women's Army Corps, and provided for the expiration of the act of 14 May 1942, which authorized the establishment of the Women's Army Auxiliary Corps, on 30 September 1943.

(b) *Applicability of existing WAAC regulations.* Existing WAAC regulations will apply to WAC personnel until such time as Army Regulations are promulgated. (§§ 79b.1-79b.16)

(c) *Eligibility requirements—(1) Age and citizenship.* An applicant must be a citizen of the United States and must have attained her twentieth but not her fiftieth birthday.

(2) *Physical and mental.* An applicant must be of excellent character and capable of passing the prescribed mental alertness test and physical examination.

(3) *Dependents.* (i) Any person with a child or children under the age of 14 years, legally or in fact dependent upon such person for care, custody, control, or support, is not eligible for enlistment.

(ii) Any person who is responsible for the financial support of any other person, unless such support can be met entirely by means other than derived from the applicant's pay as a member of the WAC, is not eligible for enlistment.

(4) *Doctors and nurses.* Doctors of medicine and registered nurses are not eligible for enlistment in the WAC.

(5) *Agricultural occupation.* A woman engaged in an agricultural occupation will not be accepted for enlistment in the WAC.

(d) *Enlistment procedure.* Enlistment in the WAC will be accomplished in the following order, when practicable:

(1) *Application for enlistment.* (i) The Application for Enlistment and any approved informational literature applicable and available will be furnished to all prospective applicants.

(ii) A WAC officer or enlisted woman will be available at the recruiting station at all times during duty hours to supply information to prospective applicants.

(iii) The completed Application for Enlistment may be filed by mail or in person at any United States Army recruiting station. Application should have attached, when practicable, satisfactory proof of birth date and citizenship.

(2) *Proof of birth date and citizenship.* (i) Satisfactory proof of date and place of birth should be established by one of the following: birth certificate or photostatic copy thereof; bona-fide school, institutional or baptismal records showing birth date of applicant; affidavit of physician or midwife attending birth of applicant; affidavit of parent or parents; affidavit of relative or responsible party in those cases where no reasonable doubt of age or place of birth exists.

(ii) In cases of naturalized citizens, final naturalization papers must be presented. In those instances where an applicant became naturalized while a minor through the naturalization of parent or parents, authenticated copies of the parents' final papers will be considered proof of citizenship.

(3) *Mental alertness and education.* Minimum qualifications for enlistment will be at least 2 years of secondary education (i. e., 2 years of high school or similar accredited school) and a score of not less than 70 on the Mental Alertness Test. A score of not less than 80 on the Mental Alertness Test will be accepted in lieu of 2 years of secondary education.

(4) *Physical examination.* (i) Applicant will be given a final type physical examination in accordance with the standards currently prescribed by the War Department. Until such time as new regulations are promulgated, criteria applicable to the WAAC will govern (See § 79b.8.) Physical examination must be completed.

(ii) Waivers for minor physical defects may be granted by the commanding generals of service commands where the interest of the Government or the military service is not compromised, provided the defects will not interfere with satisfactory performance of duty and are not of a nature likely to be aggravated by military service.

(5) *Statement of release from employment.* Statement of release from applicants employed in war industries or who are Federal employees should have been presented during processing of applicants. If not previously presented, it is mandatory that such a release be presented before Oath of Enlistment is administered.

(e) *Conflicting regulations.* All regulations and instructions previously issued which are in conflict herewith are rescinded. (Public Law 110, 78th Congress, 1 July 1943) [A. S. F. Memorandum No. S635-6-43, 30 July 1943, and W.D. Memorandum No. W635-14-43, 30 July 1943]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 43-13242; Filed, August 13, 1943; 11:48 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 4858]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

## ELECTROVITA SALES COMPANY OF OHIO

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's "Elsaco Mineralized Water" or artificial mineral water, or any other similar product, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said product, which advertisements represent, directly or through inference, (1) that the use of respondent's product has any beneficial effect other than a tendency to decrease acidity in the stomach; (2) that respondent's product will neutralize any acid condition of the blood stream or rid the body of an acid condition; (3) that respondent's product has any beneficial effect in activating the kidneys other than that obtained from the ingestion of an equal amount of ordinary drinking water; (4) that respondent's product has any special properties which are effective in dissolving waste material in the kidneys or in removing toxic matter from the system; (5) that respondent's product will supply mineral deficiencies or supply essential mineral salts needed by the body to keep the body chemistry in balance; (6) that respondent's product will purify the blood, remove nerve irritation, rebuild body tissue or cell life, or absorb poisons that may be in the system; (7) that respondent's product acts as an oxidizing agent or that it will be effective in the burning up of any waste materials which might cause irritation of the vital organs, such as the heart, liver, gall bladder, or kidneys; (8) that respondent's product has any therapeutic value whatsoever in the treatment of asthma, kidney or bladder trouble, Bright's disease, boils, jaundice, female disorders, liver or gall bladder trouble, varicose veins, colitis, arthritis, diabetes, prostatitis, hot flashes, headaches, chills, rheumatism, constipation, high blood pressure, influenza, run-down condition, piles, epilepsy, neuritis, stomach ulcers, anemia, dermatitis, heart trouble, and many other ailments and conditions, as specified in order; or (9) that respondent's preparation has any significant therapeutic value in the treatment of any disease or disorder of the human system; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, The Electro Vita Sales Company of Ohio, Docket 4858, August 3, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3rd day of August, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition



to the allegations of said complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, and briefs in support of and in opposition to the complaint; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered,* That the respondent, The Electro Vita Sales Company of Ohio, a corporation, its officers, agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of its artificial mineral water, designated "Elsaco Mineralized Water," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly,

1. Disseminating or causing to be disseminated any advertisement, by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference,

a. That the use of respondent's product has any beneficial effect other than a tendency to decrease acidity in the stomach.

b. That respondent's product will neutralize any acid condition of the blood stream or rid the body of an acid condition.

c. That respondent's product has any beneficial effect in activating the kidneys other than that obtained from the ingestion of an equal amount of ordinary drinking water.

d. That respondent's product has any special properties which are effective in dissolving waste material in the kidneys or in removing toxic matter from the system.

e. That respondent's product will supply mineral deficiencies or supply essential mineral salts needed by the body to keep the body chemistry in balance.

f. That respondent's product will purify the blood, remove nerve irritation, rebuild body tissue or cell life, or absorb poisons that may be in the system.

g. That respondent's product acts as an oxidizing agent or that it will be effective in the burning up of any waste materials which might cause irritation of the vital organs, such as the heart, liver, gall bladder, or kidneys.

h. That respondent's product has any therapeutic value whatsoever in the treatment of asthma, kidney or bladder trouble, Bright's disease, boils, jaundice, female disorders, liver or gall bladder trouble, varicose veins, colitis, arthritis, diabetes, prostatitis, hot flashes, headaches, chills, rheumatism, constipation, high blood pressure, influenza, run-down condition, piles, epilepsy, neuritis, stomach ulcers, anemia, dermatitis, heart trouble, iritis, sinusitis, multiglandular conditions, amenorrhea, digestive disturbances, nervousness, gas on stomach, intestinal troubles, kidney stones, im-

tigo, rheumatic fever, meningitis, facial neuralgia, eczema, toxemia, goiter, cataracts, indurative myocarditis, muscular dystrophy, paralysis, nervous exhaustion, underweight, fevers, ovarian trouble, cirrhosis of the liver, tuberculosis of the skin, pleurisy, leakage of the heart, low blood pressure, appendicitis, gastric acidity, tic douloureux, gangrenous infection, streptococcal infection, dropsy, tumors, or palsy.

1. That respondent's preparation has any significant therapeutic value in the treatment of any disease or disorder of the human system.

2. Disseminating or causing to be disseminated any advertisement, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of respondent's product, which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof.

*It is further ordered,* That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-13214; Filed, August 13, 1943;  
10:58 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter III—Bituminous Coal Division

[Docket No. A-1895]

#### PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

##### MEMORANDUM OPINION AND ORDER

Memorandum opinion and order of the director in the matter of the petition of District Board No. 2, for increases in the minimum prices heretofore established for the coals produced by Grippo Coal Company at its Grippo Mine, Mine Index No. 851.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on March 4, 1943, by District Board 2, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting increases in the minimum prices of the coals produced by the Grippo Mine (Mine Index No. 851) of the Grippo Coal

Company, located in Center Township, Butler County, Pennsylvania, in District 2. On March 30, 1943, Bituminous Coal Consumers' Counsel filed a petition of intervention.

Pursuant to appropriate orders,<sup>1</sup> and after due notice to interested persons, a hearing in this matter was held on April 6, 1943, before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. Petitioner, Consumers' Counsel, and the Office of the General Counsel of the Division appeared by representatives. All parties waived the filing of a report by the Examiner and the matter was thereupon submitted to me.

The Grippo Mine (Mine Index No. 851) is a deep mine, operating in the Kittanning Seam in Butler County, approximately 3 miles distant from the City of Butler and 2/10ths of a mile distant from Pennsylvania Route 38, an improved state highway. At present it has a daily production of approximately 125 tons in 5/8" slack, 5/8" x 1 1/4" stoker, 1 1/4" x 2" nut, 2" x 4" egg and 4" lump sizes and practically all of its coal moves by truck to the City of Butler, primarily for domestic use, and also for commercial uses in the resultant sizes. The petition requests that the minimum prices established for the coals of the Grippo Mine should be increased in Size Groups 2 to 11, inclusive, for truck shipment, as follows:

	Size group									
	2	3	4	5	6	7	8	9	10	11
Price.....	330	320	310	300	290	270	260	230	220	210

<sup>1</sup> No request is made for revision in the price of Size Group 1; in Size Groups 2 to 11, inclusive, the foregoing prices include the increases granted by Order of the Director in General Docket No. 21, effective October 1, 1942.

T. J. Ward, a member of the Price and Classification Committee of District Board 2 and the only witness at the hearing, testified that the purpose of the District Board's petition was to restore the minimum prices for the Grippo Mine, established in General Docket No. 15, which were 10 cents higher in all size groups except Size Group 1 and Size Groups 7 and 8, the prices of which were 5 cents higher than the minimum prices for truck shipment, subsequently established in Docket No. A-552.<sup>2</sup> He ex-

<sup>1</sup> The order of the Director, dated March 13, 1943, denied temporary relief and scheduled the hearing herein for April 13, 1943. On March 23, 1943, the Director entered an order granting petitioner's request to advance the date of hearing to April 6, 1943.

<sup>2</sup> These prices were:

	Size Group										
	1	2	3	4	5	6	7	8	9	10	11
General Docket No. 15.....	325	310	300	290	280	270	250	240	210	200	190
Docket No. A-552.....	325	300	290	280	270	260	245	235	200	190	180
Present Prices (including the increases granted in General Docket No. 21).....	345	320	310	300	290	280	265	255	220	210	200



plained that the minimum prices established for the coals of the Grippo Mine in General Docket No. 15 were the same as the prices for comparable coals of such competitive mines in Butler County as the Wigton Mine (Mine Index No. 952) of the Bisco Coal Co., the Zenith #1 Mine (Mine Index No. 249) of the Zenith Coal Co., the McCormick Mine (Mine Index No. 887) of the McCormick Coal Co., the Cosco #1 and #2 Mines (Mine Index Nos. 41 and 42) of the Cosco Gas Coal Co., and the Oneida #3 Mine (Mine Index No. 2195) of the Ivywood Coal Co., all of which operate in the same Kittanning Seam, are located approximately the same distance from the main market area, and produce mine run coal which is prepared and loaded by hand in the same manner as the coal of the Grippo Mine. He further testified that the minimum prices for coals of the Grippo Mine were reduced in Docket No. A-552 upon the code member's request and after inspection of the mine and investigation of the marketing conditions in the Butler area by the District Board, for the reason that its coal had to be trucked to the state highway over a dirt road which often was impassable during the months in which this coal was hauled from the mine, and also because in the development of the mine, the code member had extended entries to the right and the left of the main headings into the outcrop and the coal, which was mined at the time of the advancement of the headings, being near the outcrop, was slightly more friable and not of the quality of the coal produced after further development of the mine. On the basis of these facts, the District Board proposed a reduction in the minimum prices for all sizes of coal produced by the Grippo Mine for truck shipment, so as to create a fair competitive price relationship with other coals produced by competitive mines in the Butler area.<sup>9</sup> The record further discloses that, upon complaint of producers in the Butler area, it was ascertained by the District Board that the conditions which required the adjustment made in Docket A-552 no longer existed. The witness Ward proceeded to explain that as a result of a fire which occurred in the summer of 1941, the equipment used as a tippie at the Grippo Mine to dump its mine run coal, was destroyed and a new tippie with a capacity of approximately 200 tons was constructed and a modern shaker screen and picking table were installed. He asserted that the coal presently produced has improved in quality, since it is now mined under the hill of the mine and is of the same character as that produced from the main headings, that this coal is now hard, of firm structure and presents a good appearance, and that, in addition, the road leading from the main highway to the mine has been rebuilt and maintained in a very good condition. He added that since the time

of the foregoing improvements, the coal of the Grippo Mine has sold, size for size, at prices identical with those of competing mines. In his opinion, the methods of preparation and the conditions surrounding the production and marketing of the coal of the Grippo Mine are now similar to those of competing mines; Grippo Mine Coal is comparable to, and enjoys the same consumer acceptance as the coals of competing Butler County mines; and now attracts truckers as readily as the coals of these competing mines, because of the present location of the mine and the present condition of the highway leading to it. Particularly because of the improvement in the quality of the coal and in the condition of the road leading to the mine, and, to some extent, because of the installation of the new tippie and preparation facilities, the District Board proposed to revise the minimum prices of the Grippo Mine in order to maintain fair and equitable competitive opportunities for the producers who serve the market in the Butler area. Finally, it should also be noted, as the witness further testified, that the code member conceded that the conditions obtaining at the time of its request for a reduction in minimum prices had improved and that its coal should be priced the same as the coals of the competitive Butler County mines.

In the circumstances here presented, I am persuaded that the coal of the Grippo Mine has improved in quality and that the conditions surrounding the production and marketing of this coal are presently similar to those affecting the coals of competitive Butler County Mines. In order to reflect the relative value of this coal as nearly as possible and to preserve existing fair competitive opportunities among the producers in the Butler area, I find that the minimum prices of the coal of the Grippo Mine should be increased as requested in the petition. I find further that such revision in minimum prices complies with the standards set forth in sections 4 II (a) and (b) of the Act and is necessary to effectuate the purposes thereof.

For the foregoing reasons, upon the basis of the entire record in this proceeding, and pursuant to section 4 II (d) and other provisions of the Act,

It is hereby ordered, That § 322.23 (General prices) is amended by revising the effective minimum prices of the coal produced by the Grippo Mine (Mine Index No. 851) of the Grippo Coal Company, in Center Township, Butler County, Pennsylvania, in District 2, for truck shipment, as follows:

	Size group										
	1	2	3	4	5	6	7	8	9	10	11
Price.....	345	330	320	310	300	290	270	260	230	220	210

Dated: August 10, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13113; Filed, August 12, 1943;  
10:58 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 4 of Priorities Regulation 3]

The following Interpretation 4 is issued with respect to Priorities Regulation 3.

A great many orders of the War Production Board permit the delivery of materials pursuant to preference ratings assigned by a P-19-h Order, or by an order in the P-19 series. Forms CMPL-224 and CMPL-127 are generally used in place of orders in the P-19 series. It is expressly stated on Form CMPL-224:

"This authorization is issued in lieu of preference rating order of the P-19 series. Any reference in any order of the War Production Board to said preference rating orders shall constitute a reference to this authorization."

It is set forth in CMPL-127:

"This authorization is issued in lieu of Preference Rating Order P-19-h or P-55. Any reference in any order of the War Production Board to said Preference Rating Order P-19-h or P-55 shall constitute a reference to this authorization."

Consequently, it is proper for any person to deliver material or equipment pursuant to a rating assigned by Forms CMPL-224 or CMPL-127, if he is permitted under existing orders of the War Production Board to deliver said material pursuant to a rating assigned by a P-19-h order or an order in the P-19 series.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13215; Filed, August 13, 1943;  
11:12 a. m.]

#### PART 962—IRON AND STEEL

[Direction 1 to General Preference Order M-21-b-2]

#### ADDITIONAL ALLOWANCE OF CERTAIN MERCHANT TRADE PRODUCTS FOR WAREHOUSES LOCATED IN CERTAIN WESTERN STATES

The following Direction 1 is issued pursuant to General Preference Order M-21-b-2.

Before and during the base period established by General Preference Order M-21-b-2, a severe drought affecting a large area in certain western states curtailed the normal purchases of steel products by warehouses located in the area. As a result, the base tonnages available under General Preference Order M-21-b-2 limit warehouse purchases of certain merchant trade products to a level which is inadequate to meet the usual requirements of the area. A more normal crop growing season now exists, and in order to enable warehouses in the area to purchase steel products in proportion to their present needs the following direction is issued pursuant to General Preference Order M-21-b-2 (§ 962.11).

(a) Warehouses and product groups covered by this direction. This direction applies only to warehouses located in Kansas, Montana, Nebraska, North Dakota, South Dakota, and

<sup>9</sup>The price classifications of the Grippo Mine for rail shipment, however, were not revised and these are identical with the price classifications of the Butler County mines, referred to above.



Wyoming, and only to the following merchant trade product groups:

23. Nails (cut and wire), and fence and netting staples.

25. Wire, drawn.

26. Wire bale ties.

27. Wire (barbed and twisted), wire fence (woven or welded) and netting.

28. Fence posts.

(b) *Additional allowance.* Prior to October 1, 1943, orders for delivery to stock during the period August 1-December 31, 1943, may be placed by a warehouse with a producer up to 100% of the warehouse's base tonnage with that producer, regardless of the amount of material received before August 1, 1943. However, orders for product groups 23 and 25 placed pursuant to a warehouse load directive for delivery in the last half of 1943 shall be considered part of this additional allowance, and not in addition thereto.

(c) *Identification of purchase orders.* Each purchase order placed pursuant to paragraph (b) shall be endorsed as follows and, when so endorsed, shall be an authorized controlled material order:

"This order is placed pursuant to the authority contained in Direction 1 to General Preference Order M-21-b-2.

-----  
Name of warehouse  
-----  
Address  
-----  
Signature of Authorized Official  
-----  
Date

(d) *Stock replacement.* Warehouse orders representing stock replacement of material sold on authorized controlled material orders, and accompanied by Form WPB-2444 (CMP-11), may be placed in addition to the amount authorized in paragraph (b). These replacement orders must be placed in the manner described in paragraphs (d) (2) and (e) (2) of General Preference Order M-21-b-2.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13216; Filed, August 13, 1943;  
11:12 a. m.]

#### PART 1010—SUSPENSION ORDERS [Suspension Order S-60, Revocation]

MANNING, BOWMAN & CO.

Manning, Bowman & Company has appealed from the provisions of Suspension Order No. S-60, issued June 29, 1942. After a review of the case it has been determined by the Chief Compliance Commissioner that Suspension Order No. S-60 should be revoked.

In view of the foregoing, *It is hereby ordered*, That § 1010.60 Suspension Order No. S-60, issued June 29, 1942, be revoked.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13217; Filed, August 13, 1943;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS [Amdt. 1 to S-358]

B. A. CHAPLOW LUMBER CO.

B. A. Chaplow Lumber Company of Detroit, Michigan, has appealed from the

provisions of Suspension Order S-358 issued July 8, 1943. After a review of the case, it has been determined that the respondent wilfully violated Conservation Order M-208 and Priorities Regulation No. 1 and No. 3. However, the respondent has shown that its business will be jeopardized and that undue hardship will result unless this Suspension Order is relaxed. It has therefore been determined that the respondent should be permitted to purchase and sell lumber to fill orders bearing preference ratings of AA-3 or higher.

In view of the foregoing facts; *It is hereby ordered*, That paragraph (f) of § 1010.358, Suspension Order S-358, issued July 8, 1943, be amended to read as follows:

(f) The provisions of this order shall not be applicable to lumber which is actually in transit to the respondent on the effective date of this order, nor which is received, used or required for use in filling orders bearing preference ratings of AA-3 or higher.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13218; Filed, August 13, 1943;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS [Suspension Order S-378]

SOUTHWEST MANUFACTURING CO.

Frank J. Turner, 1214 West Madison Street, Phoenix, Arizona, operates a general sheet metal shop and manufactures and sells evaporative coolers, under the name of Southwest Manufacturing Company. General Limitation Order L-38 restricting the production or sale of "refrigerating and air-conditioning equipment" became effective May 15, 1942. Between July 24 and September 4, 1942, respondent produced and sold sixty-seven evaporative coolers being "refrigerating and air-conditioning equipment" as defined in General Limitation Order L-38 and in violation of that Order, and having a value of \$13,501.34. Respondent admits that he received actual notice of this Order on June 10, 1942. After June 10, 1942, the respondent produced approximately two hundred evaporative coolers, being said "refrigerating and air-conditioning equipment", having a value of about \$5,000, in violation of General Limitation Order L-38. These coolers were produced for private accounts and not for military purposes. Because of actual knowledge of the Order on June 10, 1942, and because of respondent's familiarity with the mechanical refrigerator business, these violations of the order must be deemed wilful.

These wilful violations of General Limitation Order L-38 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing facts: *It is hereby ordered*, That:

§ 1010.378 Suspension Order S-378.

(a) Frank J. Turner, doing business as Southwest Manufacturing Company, or otherwise, his and its successors or assigns, shall not produce, manufacture, process, sell, transfer, or otherwise dispose of any evaporative coolers, evaporative cooler parts, or any "system" or "parts" as defined in General Limitation Order L-38 as amended, unless hereafter specifically authorized in writing by the Regional Director of the San Francisco Regional Office of the War Production Board. Authority is hereby delegated to said Regional Director to pass upon applications by the respondent to engage in such activities.

(b) Deliveries of material to Frank J. Turner, doing business as Southwest Manufacturing Company, or under any other name, his or its successors or assigns shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, or any other orders or regulations of the War Production Board unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocation or allotment of materials for production, the supply or distribution of which is governed by any order or regulation of the War Production Board shall be made to Frank J. Turner, doing business as Southwest Manufacturing Company or under any other name, his or its successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve Frank J. Turner, doing business as Southwest Manufacturing Company, or otherwise, his or its successors or assigns from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 13, 1943, and shall expire on December 13, 1943.

Issued this 24th day of July 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13219; Filed, August 13, 1943;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS [Suspension Order S-397]

WESTERN WRECKING AND SALVAGE CO.

Morris Shapiro, doing business as Western Wrecking and Salvage Company, operates a scrap metal business at 112 Natividad Street, Salinas, California. Between October 6, 1942, and March 30, 1943, he violated Supplementary Order M-9-b by accepting deliveries of about 18,000 pounds of copper and copper base alloy scrap, without having sold or otherwise disposed of similar scrap, during the sixty days pre-



ceding each delivery to him, in an amount at least equal in weight to his scrap inventory on the dates of such deliveries, exclusive of such deliveries. During this time, Mr. Shapiro was acquainted with the provisions of Supplementary Order M-9-b, and these violations were therefore wilful. The effect of these acts has been to retard the flow of scrap copper and copper base alloy to uses in the war effort of the United States. In view of the foregoing facts, *It is hereby ordered, That:*

§ 1010.397 *Suspension Order No. S-397.* (a) Morris Shapiro, doing business as Western Wrecking and Salvage Company, or otherwise, his successors or assigns, shall not order, purchase or accept delivery of any copper, copper base alloy or scrap, as those terms are defined in Supplementary Order M-9-b, until his total inventory of all such materials has been reduced to not more than 3000 pounds and so found by the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Morris Shapiro, his successors, or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 13, 1943.

Issued this 6th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13220; Filed, August 13, 1943;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-398]

##### NATIONAL RADIO SHOP

Leo Galenson doing business as National Radio Shop at 8626 South Broadway, Los Angeles, California is engaged in the business of selling new metal plumbing equipment. Between September 23, 1942, and January 6, 1943, he sold to ultimate consumers thirteen items of new metal plumbing equipment having an approximate total value of \$1800 dollars. In connection with these sales, it is doubtful whether the respondent obtained the required certifications from his customers as he should have done, but there is no doubt that he failed to keep them on file, and this failure itself was a violation of Limitation Order L-79. On December 30, 1942, respondent sold new metal plumbing equipment having a value of approximately \$160, and used an improper form of certification in violation of Limitation Order L-79. In addition, respondent was grossly negligent in handling his certificates and records. Respondent knew of Limitation Order L-79 and his actions must be deemed wilful violations of that order; he has diverted scarce materials to uses not authorized by the War Production Board

and has hampered and impeded the war effort of the United States. In view of the foregoing facts; *It is hereby ordered, That:*

§ 1010.398 *Suspension Order S-398.* (a) Delivery of materials to Leo Galenson, doing business as National Radio Shop, or otherwise, his or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Leo Galenson, doing business as National Radio Shop, or otherwise, his or its successors or assigns, from any restrictions, prohibitions, or provision contained in any other Order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 13, 1943, and shall expire on November 13, 1943.

Issued this 6th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13221; Filed, August 13, 1943;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-399]

##### PLYMOUTH MACHINE AND BURNER CORP.

Plymouth Machine & Burner Corporation is engaged in the business of machining and manufacturing parts at 10 Water Street, Plymouth, Massachusetts. On February 3, 1943, the respondent extended an AA-1 rating accompanied by a certificate in the form provided by Priorities Regulation No. 3 for the purpose of obtaining three lathes. Actual delivery on this order was not completed, but delivery was completed on a subsequent telephone order which improperly purported to extend an authorization of the War Production Board which was never in fact given. The original application of the preference rating AA-1 was improper and was made in violation of Priorities Regulation No. 3. The officers of the respondent in charge of its business knew Priorities Regulation No. 3 or from their business experience should have known the Regulation, and the actions of respondent must be deemed wilful violations of Priorities Regulation No. 3; they have hampered and impeded the war effort of the United States. In view of the foregoing facts: *It is hereby ordered, That:*

§ 1010.399 *Suspension Order S-399.* (a) Plymouth Machine & Burner Corporation, its successors and assigns, shall not order, purchase, or receive any ma-

chine tools, unless hereafter authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Plymouth Machine & Burner Corporation, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 13, 1943, and shall expire on December 13, 1943.

Issued this 6th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13222; Filed, August 13, 1943;  
11:13 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-400]

##### PEPPER'S FURNITURE STORE

E. F. Pepper, Stockton, California, does business in that city under the trade name of Pepper's Furniture Store. Between May 23, 1942, and January 19, 1943, he violated Limitation Order L-79 by selling and delivering 144 oil and gas heaters, defined as new metal heating equipment in said Order, to ultimate consumers who did not furnish him with preference rated orders or written certifications. At the time of such sales E. F. Pepper was familiar with the provisions of Limitation Order L-79, and these violations were wilful.

These violations of Limitation Order L-79 have hampered and impeded the war effort of the United States by distributing scarce materials in a manner unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.400 *Suspension Order No. S-400.* (a) During the term of this order, E. F. Pepper, individually, or doing business as Pepper's Furniture Store, or otherwise, his successors and assigns, shall not purchase, accept delivery of, order, sell, deliver, or otherwise deal in, new metal heating equipment as defined in Limitation Order L-79.

(b) Nothing contained in this order shall be deemed to relieve E. F. Pepper, individually or doing business as Pepper's Furniture Store, or otherwise, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 13, 1943, and will expire on October 13, 1943.

Issued this 6th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13223; Filed, August 13, 1943;  
11:12 a. m.]



## PART 1010—SUSPENSION ORDERS

[Suspension Order S-401]

## FINGERHUT CO.

Joseph Fingerhut, trading as Fingerhut Company at 5 East Lake Street, Minneapolis, Minnesota, operates a retail electric equipment store. Between August 13, 1942, and October 15, 1942, he violated Supplementary General Limitation Order L-5-d by transferring three domestic mechanical refrigerators, on the authority of Certificates of Transfer issued to specifically named persons, to persons other than those so named. At the time of these transactions Joseph Fingerhut was familiar with the provisions of Supplementary General Limitation Order L-5-d, and with the language of the aforesaid Certificates of Transfer, and these violations were wilful.

These violations of Supplementary General Limitation Order L-5-d have hampered and impeded the war effort of the United States by distributing scarce material and products contrary to specific directions of the War Production Board. In view of the foregoing: *It is hereby ordered, That:*

## § 1010.401 Suspension Order S-401.

(a) Deliveries of material or equipment to Joseph Fingerhut, individually, or trading as Fingerhut Company, or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be applied, assigned or extended to such deliveries by any preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Joseph Fingerhut, individually, or trading as Fingerhut Company, or otherwise, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions of this order.

(c) This order shall take effect on August 13, 1943, and shall expire on November 13, 1943.

Issued this 6th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13224; Filed, August 13, 1943;  
11:12 a. m.]

## PART 3020—HEAT EXCHANGERS

[General Limitation Order L-172, as Amended  
August 13, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the production of heat exchangers for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3020.1 General Limitation Order L-172—(a) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, and includes the Army and Navy of the United States, the Maritime Commission, the War Shipping Administration, the Office of Lend-Lease Administration and the Office of Economic Warfare.

(2) "Manufacturer" means any person who constructs, manufactures or assembles critical heat exchangers to the extent that he is engaged in such construction, manufacture or assembly; and shall include sales and distribution outlets and agencies controlled by such person. The term shall also include any person who purchases or otherwise acquires materials for manufacture or assembly into critical heat exchangers by his subcontractor, and resale by such person.

(3) "Critical heat exchanger" means any new equipment or apparatus consisting of an assembly, bundle or nest of one or more bare or finned tubes (metallic or non-metallic) or metal plates, and including any shell or pressure vessel to contain the same, designed for the transfer or exchange of heat between two or more fluids (liquids, gases or vapors), except the following:

(i) Any equipment or apparatus which is direct-fired or installed within a flue gas passage;

(ii) Any equipment or apparatus which permits direct contact involving physical mixing of the fluids (other than direct contact boiler feed water heaters);

(iii) Any steam surface condenser designed to condense exhaust steam from a prime mover to maintain a minimum exhaust pressure;

(iv) Any heat exchanger for use on aircraft;

(v) Any radiator-type cooler;

(vi) Unit heaters, convectors, unit ventilators, unit coolers and blast coils, if such items are for space heating or cooling or industrial space heating or drying;

(vii) Any indirect water heater commonly referred to as a storage water heater, submerged water heater, side arm water heater, "below-the-water-line" heater, or any water heater designed to supply hot water for a hot water space heating system for buildings or ships;

NOTE: Following paragraphs (viii) and (ix), formerly (viii) (e) and (viii) (g) respectively, and paragraphs (x) and (xi), formerly (viii) and (ix) respectively, redesignated August 13, 1943.

(viii) Heat exchangers having parts which come in direct contact with food or food products;

(ix) Any heat exchanger of non-metallic construction for use in a chemical experimental laboratory;

(x) Any of the following types of new heat exchanger equipment when manufactured and delivered by the manufacturer thereof as a necessary integral part of, and together with, other equipment (not heat exchanger) also manu-

factured by him, or for replacement in equipment so manufactured and delivered:

(a) Compressor intercoolers and aftercoolers; or

(b) Lubricating oil coolers for turbines or electric generators or motors; or

(c) An air or hydrogen cooler for an electric generator or motor; or

(d) Auxiliary air removal equipment for steam surface condensers for use with a prime mover, as described under subparagraph (3) (iii) above; or

(e) Rectifier or transformer oil coolers;

(xi) Heat exchangers designed for use as part of a refrigerating or air conditioning "system" as defined in General Limitation Order L-38 when fabricated by a manufacturer who currently produces such "systems".

(4) "Group I critical heat exchanger" means any of the following critical heat exchangers:

(i) An assembly, bundle or nest of one or more bare or finned tubes (metallic or non-metallic) installed in, or designed for installation in a shell or pressure vessel, except those for use on shipboard, and also excluding those which are designed for use in a refrigerating or air conditioning "system" as defined in Order L-38; or

(ii) An assembly, bundle or nest of metal plates of any size contained in a shell or pressure vessel for any use other than on shipboard; or

(iii) One or more tube bundles designed for replacement in any new or used equipment or apparatus described in (i) above; or

(iv) Any shell or pressure vessel designed for replacement in any new or used equipment or apparatus described in (i) above.

(5) "Group II critical heat exchanger" means any critical heat exchanger which is not a Group I critical heat exchanger. Thus, the term "Group II critical heat exchanger" includes equipment of the type described in paragraph (a) (4) when designed for shipboard use. It also includes so-called "open sections" of either the atmospheric or submerged type; direct contact boiler feed water heaters; heat exchangers designed for use as part of a refrigerating or air conditioning "system" as defined in Order L-38, when fabricated by a manufacturer who does not currently produce such systems; air or hydrogen coolers for electric generators or motors when not manufactured and delivered by the manufacturer thereof as a necessary integral part of, and together with, other equipment (not heat exchanger) also manufactured by him, or for replacement in equipment not so manufactured and delivered. It also includes any tube bundle, or any shell or pressure vessel, designed for replacement in any critical heat exchanger which is not a Group I critical heat exchanger.

(6) "Delays beyond control" includes only those unavoidable delays, such as result from plant breakdowns, or changes in production or deliveries required by directions, directives or orders referred



to in paragraph (e) below, against which the manufacturer's production or delivery schedules are not protected by the provisions of this order.

(b) *Operations reports.* On or before the 10th day of July, 1943, and the 10th day of each succeeding calendar month, each manufacturer shall file a report on Form WPB-3000 (or PD-900), prepared in accordance with instructions WPB-3000.08 for the form.

(c) *Delivery schedules—(1) Monthly reports.* On or before the 10th day of July, 1943, and the 10th day of each succeeding calendar month, each manufacturer shall file a report on Form WPB-1474 (or PD-615B), prepared in accordance with the instructions accompanying such form.

(If and whenever General Scheduling Order M-293 requires or permits the filing of any other form in place of Form WPB-1474, such other form may be used and filed to the extent permitted or required by Order M-293, in place of Form WPB-1474; and in that case any reference in this order to Form WPB-1474 shall also apply to such other form, or to any comparable part of such other form.)

(2) *Required delivery schedule.* Such Form WPB-1474 as filed each month shall show in column 17 the required delivery dates (months of shipment) as specified by the War Production Board (or if such Board has not specified a delivery date for any order, then the delivery date required by the purchaser) for all unfilled orders for Group I or Group II critical heat exchangers previously accepted and reported by the manufacturer, and for each new order for Group I or Group II critical heat exchangers which the manufacturer has accepted subsequent to the filing of his corresponding report for the preceding month. The schedule of deliveries as thus filed shall be deemed a "frozen schedule", within the meaning of Priorities Regulation No. 18, and the dates thus shown in the required delivery schedule on each monthly report shall continue to be shown unchanged on subsequent monthly reports, unless the War Production Board shall subsequently specify a different required delivery date, in which event any new date thus specified shall thereafter constitute the required delivery date and be reported as such. The manufacturer shall deliver critical heat exchangers only in accordance with his required delivery schedule, except for the accelerated deliveries resulting from the permissible increased production permitted in paragraph (c) (5) below, and except that a purchaser may change the point of destination to which any exchanger ordered by him is to be shipped. (An order for any heat exchanger not now within the definition of a "critical heat exchanger", but which was authorized on Form PD-615 or PD-615A, before July 9, 1943, shall be considered as an order for a critical heat exchanger, and be reported as a part of such schedule, until otherwise directed by the War Production Board).

(3) *Anticipated shipments.* Such Form WPB-1474 as filed each month shall also show in column 18 the proposed shipping dates (months of delivery) which the manufacturer believes he can meet, for all orders shown on his required delivery schedule reported in column 17 on said form. Such proposed dates shall coincide with the required dates as shown in column 17, or reflect any cancellations, or any permissible increased production and deliveries as provided for under paragraph (c) (5) below. The dates thus reported shall continue to be shown unchanged on subsequent monthly reports until the respective deliveries have been completed. If at any time, due to delays beyond control, the manufacturer no longer believes he can meet any proposed shipping date previously reported by him, he shall immediately notify the War Production Board, by letter or telegram, explaining the reasons for the anticipated delay (or further delay) and the extent of interruption of his proposed delivery schedule which he expects to result (or which has resulted) therefrom; and in filing his next monthly report on Form WPB-1474 he shall show in column 18 the changed date which he believes he can meet, postponed only to the extent required by delays beyond control. He shall also show any proposed accelerated deliveries which will result from any permissible increased production which he proposes to undertake in accordance with paragraph (c) (5) below.

(4) *Production for meeting required delivery schedules.* Each manufacturer shall carry on his production in such manner as may be necessary to assure deliveries in accordance with his required delivery schedule. Unless specifically directed to do so in accordance with paragraph (e) below, he shall not at any time accept any additional orders for critical heat exchangers or for any other products, regardless of any accompanying preference rating or allotment number or symbol, unless he knows or has reasonable cause to believe that, subject to delays beyond control, he can fill such additional orders in accordance with their terms (as authorized), without causing delay in his delivery of any order included in his required delivery schedule.

(5) *Permissible increased production rate.* Any manufacturer may carry on his production of critical heat exchangers at a rate sufficient to enable him to make shipment of any order during the calendar month preceding that in which shipment is required, and may accelerate his deliveries accordingly, but only if he can do so without causing delay in his delivery of any previously or subsequently accepted orders for critical heat exchangers, or orders for other products rated AA-5 or higher or included in a "frozen schedule" as defined in Priorities Regulation No. 18.

(d) *Placing and acceptance of orders for critical heat exchangers—(1) Group I exchangers.* (i) No person shall place an order with a manufacturer, and no manufacturer shall commence production or accept an order, for any Group I

critical heat exchanger unless accompanied by a specific authorization by the War Production Board on Form WPB-1475 (or PD-615) or on Form PD-615A. Applications for such authorization may be made to the War Production Board by the person seeking to place an order, on Form WPB-1475 in quadruplicate. Such person shall designate his proposed supplier, and the calendar month in which delivery is required, which in no case shall be earlier than is essential for his purposes. No order will be authorized if it fails to specify the month in which delivery is required.

(ii) Any order so authorized shall be accepted by the manufacturer specified in the authorization; except that the manufacturer need not accept such order if it does not meet his regularly established prices and terms of sale or payment: *Provided, however,* That the manufacturer shall not accept such order if he knows or has reasonable cause to believe that he will be unable to make delivery during the calendar month required and without causing delay in his delivery of any previously accepted orders for critical heat exchangers, or orders for other products rated AA-1 or higher or included in a "frozen schedule" as defined in Priorities Regulation No. 18. Any manufacturer who rejects any order, as herein required, shall return the same with the accompanying authorization to the purchaser with a brief explanation in writing of the reasons why it is rejected, and shall furnish the War Production Board with a duplicate copy of such explanation. If the acceptance and filing of such an order would terminate or interrupt a production or delivery schedule so as to cause substantial loss in the manufacturer's production of any other product not referred to above, he shall accept such order, but shall immediately notify the War Production Board of the circumstances and need not terminate or interrupt said schedule until 30 days after acceptance of such order.

(If and whenever General Scheduling Order M-293 requires or permits the filing of any other form in place of Form WPB-1475, then such other form may be used and filed to the extent permitted or required by Order M-293, in place of Form WPB-1475; and in such event, any reference in this order to Form WPB-1475 shall apply also to such other form.)

(2) *Group II exchangers.* (i) No person shall place an order with a manufacturer, and no manufacturer shall accept an order, for any Group II critical heat exchanger unless such order bears a preference rating of AA-5 or higher. Each prospective purchaser shall request delivery during a designated calendar month, which in no case shall be earlier than is essential for his purposes. No manufacturer shall accept any order which fails to specify the month in which delivery is required.

(ii) Any order for a Group II critical heat exchanger bearing a preference rating of AA-5 or higher shall be accepted by the manufacturer with whom it is placed, as required by Priorities Regulation No. 1: *Provided, however,* That the



manufacturer shall not accept such an order (unless it is rated AAA) if he knows or has reasonable cause to believe that he will be unable to make delivery during the calendar month required and without causing delay in his delivery of any previously accepted orders for critical heat exchangers. (If rated AAA, the lower rated Group II orders which the manufacturer has not already reported on his required delivery schedule, will be displaced in accordance with Priorities Regulation No. 1). Any person whose order for a Group II critical heat exchanger is rejected and who is unable to find another manufacturer who is in a position to accept his order, may apply to the War Production Board on Form WPB-1475 (or PD-615), explaining therein why such application is made, and an authorization therefor may be issued pursuant to paragraph (d) (1), which shall have the same force and effect as an authorization for a Group I critical heat exchanger.

(3) *Shifting of orders from one manufacturer to another.* If any person (including a manufacturer) desires to have any Group I or Group II critical heat exchanger produced by any person other than the manufacturer who has accepted an order therefor, the order shall not be placed with another person, either by direct contract or through a sub-contract, unless the person desiring to make such change has notified the War Production Board of the reasons therefor and such Board has specifically authorized in writing the production and delivery of such exchanger by the person not previously authorized to deliver the same.

(e) *Other allocation and scheduling action.* With respect to any Group I or Group II critical heat exchangers, the War Production Board may, notwithstanding any order, preference rating, directive, rule or regulation of the War Production Board (except Priorities Regulation No. 18):

(1) Direct the return or cancellation of any order on the books of a manufacturer; or

(2) Direct changes in the delivery or production schedule of a manufacturer; or

(3) Cancel orders placed with one manufacturer and authorize them to be placed with another manufacturer; or

(4) Revoke any authorization to place an order granted by it pursuant to this order; or

(5) Take such other action, as it deems necessary, with respect to the placing of orders for, or production or delivery of Group I and Group II critical heat exchangers.

Any direction, directive or order issued by the War Production Board pursuant to this paragraph (e) will be in the form of a written instrument addressed to a specific manufacturer by such Board, and stating, in accordance with Priorities Regulation No. 18, that it is an amendment of a schedule frozen under Order L-172, and shall be followed, in accordance with the provisions of this order and such regulation, by the manufacturer to whom it is directed.

(f) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(3) *Reports.* The reporting requirements in paragraph (b), (c) (1), (c) (3), (d) (1) (ii) and (d) (3) above have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-172.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13225; Filed, August 13, 1943;  
11:12 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 12 of CMP Regulation 1]

#### REDUCTION OF QUANTITY ORDERED DOES NOT CONSTITUTE PLACING OF NEW ORDER

The following Interpretation 12 is issued with respect to CMP Regulation 1.

(a) The reduction in the quantity of a controlled material covered by an authorized controlled material order does not constitute the placing of a new order. In other words, the order for the reduced quantity will retain its position in the mill schedule and will be treated just as though it were for the reduced quantity when the order was originally placed.

(b) If the quantity ordered is reduced below a minimum mill quantity, the producer may at that time reject the order and remove it from his schedule, as provided in paragraph (t) (2) (i) of CMP Regulation No. 1 (§ 3175.1), but he must not discriminate between customers in such cases.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13227; Filed, August 13, 1943;  
11:12 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 11 to CMP Regulation 5]

#### SAFETY EQUIPMENT PURCHASED BY EMPLOYEES

The following direction is issued pursuant to CMP Regulation 5.

(a) CMP Regulation No. 5 (§ 3175.5) permits an employer to buy safety equipment for his employees only where the equipment will belong to the employer and will be checked out to the employee. The employer may not resell the safety equipment to the employee, and since the employee is not in business, he is not permitted to use a preference rating under the regulation. This direction is issued to provide a way for employees themselves to get safety equipment on their employer's ratings using the same procedure by which they may get hand tools under Direction No. 9 to CMP Regulation No. 5.

(b) The employee of any person producing any product or conducting any business listed on Schedule I or Schedule II of CMP Regulation No. 5 may use the preference rating assigned by the regulation to his employer to purchase safety equipment which he requires for use exclusively in his employer's business and which his employer requires him to furnish. The procedure which he should follow is the same as that used under Direction No. 9 to CMP Regulation No. 5 in purchasing hand tools.

(c) The rating will be valid only if the employee gives the seller of the safety equipment the certificate provided for in Direction No. 9 to CMP Regulation No. 5, changing the words "hand tool" and "tool" to "item of safety equipment", or the following certificate, which may also be used to buy hand tools, instead of the certificate in Direction No. 9, filled out and signed by his employer and then signed by himself:

"Preference rating ----- MRO. The following item ----- (specify rating)

----- (only one tool or item of safety equipment may be placed on each certificate; specify type and size of tool, or give item of safety equipment) is required by the undersigned employee for use only in the undersigned employer's business, and the undersigned employer requires the employee to furnish the item. The undersigned employee further certifies that he does not own or possess any similar item which will serve the same purpose.

Name and Address of employer

Authorized signature

Signature of employee

Position

(d) The supplier who sells the safety equipment must keep the certificate for two years. He may extend the rating in the manner provided in Priorities Regulation No. 3.

(e) The cost of safety equipment bought by an employee by use of the preference rating must be included by the employer in computing the quantity restrictions of paragraph (f) of the regulation, but the employer may not include the cost of safety equipment bought by employees during the base period for the purpose of computing his quota under paragraph (f) of the regulation.

(f) The term "safety equipment" as used in this direction means the following items when they are specifically designed and used to furnish protection against specific occupational hazards (other than weather):

(1) Asbestos clothing,

(2) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves,



- (3) Metal mesh gloves, aprons and sleeves,  
 (4) Other safety leather gloves or mittens, but only if steel stitched or steel reinforced,  
 (5) Plastic and fibre safety helmets,  
 (6) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives,  
 (7) Safety industrial leather clothing other than shoes, gloves or mittens,  
 (8) Safety industrial rubber gloves and hoods and linemens' rubber gloves and sleeves,  
 (9) Gas masks and canisters,  
 (10) Respirators,  
 (11) Face and eye shields,  
 (12) Welding helmets and shields,  
 (13) Goggles,  
 (14) Foot and shin guards (not including safety shoes),  
 (15) Safety belts and harnesses, and  
 (16) Protective creams.

(g) The following example is given to show how an employee may use his employer's rating to purchase safety equipment. Suppose that a shipyard requires certain employees to have a welding shield. The employee himself is not entitled to use a preference rating assigned by the regulation because he is not in business. The employee finds that he cannot buy the welding shield without a preference rating. Shipyards are in Schedule I of CMP Regulation No. 5 and consequently may use preference rating AA-1. Under this direction the employer may fill out the certification, putting down the preference rating "AA-1" and listing the item "welding shield." The proper official of the employer signs the certificate and gives it to the employee. The employee then signs the certificate and gives it to the seller of the welding shield.

Issued this 13th day of August 1943.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
 Recording Secretary.

[F. R. Doc. 43-13226; Filed, August 13, 1943;  
 11:12 a. m.]

## Chapter XI—Office of Price Administration

### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 301,<sup>1</sup> Amdt. 8]

#### RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

1. Section 1315.1796 is amended by inserting the price, \$1.30, opposite hospital grade (molded) hot water bottles under the heading, "Maximum price for sales at retail."

2. Section 1315.1796 is amended by adding the following items under the heading, "Combination syringes (molded), equipped with 4'8" regular flow tube, stopper, shut-off and screw socket:"

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 9212.

Item	Maximum price for sales at wholesale	Maximum price for sales at retail
Group I—2 slip pipes, adult rectal and vaginal.....	\$0.93	\$1.65
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	1.00	1.75
Group III—3 screw pipes, infant rectal, adult rectal and balloon vaginal plus screw pipe connection and rapid flow accessories....	1.25	2.20

This amendment shall become effective August 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

PRENTISS M. BROWN,  
 Administrator.

[F. R. Doc. 43-13144; Filed, August 12, 1943;  
 12:01 p. m.]

### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RPS 32,<sup>1</sup> Amdt. 6]

#### PAPERBOARD SOLD EAST OF THE ROCKY MOUNTAINS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Price Schedule No. 32 is amended in the following respects:

1. Paragraphs (a), (b) and (c) of § 1347.62 are amended to read as follows:

(a) Liners—0.016

	Price per M square feet
0.016—42 lb. Fourdrinier Kraft—100 lb. Test.....	\$1.32
0.016—47 lb. Fourdrinier Kraft—105 lb. Test.....	1.48
0.016—50 lb. Fourdrinier Kraft—110 lb. Test.....	1.58
0.016—52 lb. Fourdrinier Kraft—110 lb. Test.....	1.64
0.016—52-58 lb. Cylinder Kraft—100 lb. Test.....	1.82
0.016—56 lb. Fourdrinier Kraft—115 lb. Test.....	1.90
0.016—56-68 lb. Jute—100 lb. Test.....	1.92

(b) Liners heavier than 0.016

0.023—Jute (See Paragraph G).	
0.023—72 lb. Fourdrinier Kraft—135 lb. Test.....	2.27
0.030—96-110 lb. Jute—135 lb. Test.....	3.30
0.030—90 lb. Fourdrinier Kraft—140 lb. Test.....	2.84
0.030—90-104 lb. Cylinder Kraft—135 lb. Test.....	2.88
0.030—100-106 lb. Cylinder Kraft—150 lb. Test.....	3.00
0.030—90-106 lb. Cylinder Kraft—170 lb. Test.....	3.12

<sup>1</sup> F.R. 1264, 2000, 2132, 2740, 3182, 8949, 3524, 4187, 5838.

(c) Liners lighter than 0.016

	Price per M square feet
0.009—32 lb. Fourdrinier Kraft—75 lb. Test.....	\$1.09
0.012—33 lb. Fourdrinier Kraft—75 lb. Test.....	1.04
0.012—48-52 lb. Jute.....	1.63
0.014—38 lb. Fourdrinier Kraft—85 lb. Test.....	1.20
0.014—43 lb. Fourdrinier Kraft—100 lb. Test.....	1.35

2. Paragraph (j) is added to § 1347.62 which reads as follows:

(j) A maximum variation of 5% is allowed in the specified basis weights of Fourdrinier Kraft Linerboards specifically listed in this Section.

This amendment shall become effective August 18, 1943.

(Pub. Laws 421 and 729, 77th Cong., Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4781)

Issued this 12th day of August 1943.

PRENTISS M. BROWN,  
 Administrator.

[F. R. Doc. 43-13146; Filed, August 12, 1943;  
 12:01 p. m.]

### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,<sup>1</sup> Amdt. 77]

#### SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.86c is added to read as follows:

§ 1407.86c Increased allotments for certain bakery and other cereal products.

(a) A registering unit may apply to the board for an increase in its allotment for the period beginning September 1, 1943, for the production (for human consumption) of each of the following two classes of products:

(1) Bread or other bakery products containing sugar and flour (including flour and meal of any kind) in a ratio of not more than 10 pounds of sugar for each 100 pounds of flour.

(2) Other cereal products containing sugar and processed grain in a ratio of not more than 10 pounds of sugar for each 100 pounds of processed grain; batters and mixes containing sugar and flour (including flour and meal of any kind) in a ratio of not more than 10 pounds of sugar for each 100 pounds of flour.

(b) Application shall be made by the registering unit on OPA Form R-315 and shall show separately for each class of products:

(1) The amount of the increase requested for each class of products;

<sup>1</sup> 8 F.R. 5908, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8184, 8678, 9011, 9324, 9458, 10304, 10512.



(2) The higher of the two following percentages:

(i) The percentage of all sugar used by it during 1941 which it used in the production of such class of products; or

(ii) The percentage of all sugar used by it during May and June 1943 which it used in the production of such class of products

(The application shall also show the figures from which the percentage was computed.);

(3) The total of all its sugar bases for the months of August, September, and October 1943; and

(4) A statement that it has the facilities to produce an additional quantity of the products in such class.

If the board finds that the facts stated in the application are true, it shall grant the application. The increase in allotment granted to the registering unit for each class of products must not exceed 20 per cent of the percentage figure shown in (2) times the total of all its sugar bases for the months of August, September, and October 1943.

(c) A registering unit may use an increase in allotment provided by this section only in the production of the class of products for which it was granted. Moreover, it must, out of the rest of its allotment for September and October 1943 (not counting increases provided by §§ 1407.86d and 1407.86e of this order), use an amount at least equal to the percentage referred to in paragraph (b) (2) times that allotment, only in the production of that class of products.

2. Section 1407.86d is added to read as follows:

§ 1407.86d *Increased allotments for jams, jellies, preserves, and fruit butters.*

(a) A registering unit may apply to the board for an increase in allotment for the period beginning September 1, 1943, for the production of jams, jellies, preserves, and fruit butters.

(b) Application shall be made by the registering unit on OPA Form R-315 and shall show:

(1) The amount of the increase requested;

(2) The total amount of its sugar bases for the months of August, September, and October 1943 as shown on OPA Form R-310, Schedule I, line h; and

(3) A statement that it has the facilities and has or is able to obtain the ingredients (other than sugar) to produce an additional quantity of such products.

If the board finds that the facts stated in the application are true, it shall grant the application. The increase in allotment granted to the registering unit must not exceed 40 per cent of the total amount of its sugar bases for the months of August, September, and October 1943 as shown on OPA Form R-310, Schedule I, line h.

(c) A registering unit may use an increase in allotment provided by this section only in the production of jams, jellies, preserves, or fruit butters. Moreover, it must use at least its full allotment for jams, jellies, preserves, and

fruit butters for September and October 1943, only in the production of those products.

3. 1407.86e is added to read as follows:

§ 1407.86e *Increased allotments for drugs and medicines.* (a) A registering unit may apply to the board for an increase in allotment for the period beginning September 1, 1943, for the production of drugs and medicines.

(b) Application shall be made by the registering unit on OPA Form R-315 and shall show:

(1) The amount of the increase requested;

(2) The percentage of all sugar used by it during 1941 which it used in the production of drugs and medicines. (The application shall also show the figures from which the percentage was computed);

(3) The total of all its sugar bases for the months of August, September, and October 1943; and

(4) A statement that it has the facilities and has or is able to obtain the ingredients (other than sugar) to produce an additional quantity of such products.

If the board finds that the facts stated in the application are true, it shall grant the application. The increase in allotment granted to the registering unit must not exceed 20 per cent of the percentage figure shown in (2) times the total of all its sugar bases for the months of August, September, and October 1943.

(c) A registering unit may use an increase in allotment provided by this section only in the production of drugs or medicine. Moreover, it must, out of the rest of its allotment for September and October 1943 (not counting increases provided by §§ 1407.86c and 1407.86d of this order), use an amount at least equal to the percentage referred to in paragraph (b) (2) times that allotment, only in the production of drugs or medicines.

4. Section 1407.92 (a) is amended by adding at the end thereof the following:

TABLE II—CANNED FRUITS AND FRUIT JUICES

Product	Size of unit	Maximum sugar allowance per unit in pounds for packing seasons ending prior to July 21, 1943	Maximum sugar allowance per unit in pounds for packing seasons not ending prior to July 21, 1943
Each fruit.....	24/2½'s.....	90 percent of average quantity of sugar used per unit of all grades (converted into 24/2½'s) during 1941.	100 percent of average quantity of sugar used per unit of all grades (converted into 24/2½'s) during 1941.
Each fruit juice.....	Gallon.....	90 percent of average quantity of sugar used per unit of all grades during 1941.	90 percent of average quantity of sugar used per unit of all grades during 1941.

This amendment shall become effective August 14, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 12th day of August 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-13139; Filed, August 12, 1943; 12:02 p. m.]

"(Exceptions to this paragraph are set forth in §§ 1407.86c (c), 1407.86d (c), and 1407.86e (c) of this order.)"

This amendment shall become effective August 14, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 12th day of August 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-13139; Filed, August 12, 1943; 12:01 p. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amdt. 78]

### SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.87 (f) is added to read as follows:

(f) If a registering unit has obtained a provisional allowance for the canning of a fruit it shall be entitled to an addition thereto in an amount which will give to the registering unit a total maximum allowance per unit of that fruit not in excess of the average number of pounds of sugar it used per unit of all grades of such fruit (converted into 24/2½'s) during 1941. However, this paragraph does not apply to packing seasons ended prior to July 21, 1943.

2. Section 1407.89 (a) is amended by deleting the second sentence thereof.

3. Section 1407.241, Schedule A: Table II, is amended to read as follows:

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3, Amdt. 79]

### SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith,

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 5909, 5846, 6135, 6442, 6626, 6687, 6961, 7351, 7380, 8010, 8184, 8678, 8811, 9304, 9458, 10304, 10512.



has been filed with the Division of the Federal Register.\*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.86a (d) is amended by changing the period at the end of the first sentence to a comma and by adding to the first sentence the following: "and for the full increase in allotment for the periods commencing July 1, and September 1, 1943, at any time before September 6, 1943."

2. Section 1407.244 is amended to read as follows:

§ 1407.244 *Schedule D—Counties which have had a substantial increase in population and the percentage for each such county.*

State and county	Percentage	
	For the period commencing July 1, 1943	For periods commencing on or after September 1, 1943
Alabama:		
Baldwin	20	20
Barbour	10	None
Calhoun	30	30
Chilton	40	None
Colbert	15	10
Dale	70	70
De Kalb	15	None
Elmore	20	None
Etowah	20	20
Jefferson	10	10
Lauderdale	10	None
Madison	10	10
Mobile	70	70
Montgomery	20	10
Russell	15	15
Shelby	10	None
Talladega	30	20
Arizona:		
Apache	50	None
Cochise	40	40
Cocconino	20	None
Gila	20	20
Greenlee	80	80
Maricopa	20	20
Mohave	15	15
Navajo	10	10
Pima	30	30
Pinal	50	50
Yuma	60	60
Arkansas:		
Baxter	10	10
Desha	10	10
Jefferson	15	15
Lonoke	15	15
Miller	15	None
Pulaski	20	20
Sebastian	30	15
White	30	None
California:		
Alameda	20	20
Contra Costa	80	80
Inyo	50	50
Kern	10	10
Los Angeles	10	10
Marin	20	20
Monterey	20	20
Napa	15	15
Orange	20	20
Riverside	50	50
Sacramento	10	10
San Bernardino	20	20
San Diego	40	40
San Francisco	10	10
San Joaquin	10	10
San Luis Obispo	40	40
San Mateo	20	20
Santa Barbara	20	20
Shasta	10	None
Solano	100	100
Sutter	30	10
Ventura	10	10
Yuba	40	40
Colorado:		
Arapahoe	15	10
Denver	10	10
Eagle	90	40
El Paso	30	30
Jefferson	10	10
Otero	10	10

State and county	Percentage	
	For the period commencing July 1, 1943	For periods commencing on or after September 1, 1943
Colorado—Continued.		
Prowers	15	15
Pueblo	10	10
Connecticut: Hartford	10	None
Delaware: Sussex	10	None
District of Columbia	20	20
Florida:		
Bay	90	90
Bradford	120	120
Brevard	20	20
Broward	30	30
Clay	30	30
Dade	20	20
Duval	30	30
Escambia	20	20
Franklin	140	140
Gulf	10	10
Hamilton	10	None
Highlands	90	90
Hillsborough	20	20
Indian River	15	15
Lee	40	40
Leon	20	15
Martin	40	40
Monroe	60	60
Okaloosa	50	50
Orange	20	20
Palm Beach	15	15
Pinellas	30	20
St. Lucie	20	20
Sarasota	30	30
Volusia	10	None
Georgia:		
Berrien	30	None
Bibb	40	40
Camden	10	10
Catoosa	30	30
Chattham	20	20
Chattahoochee	10	10
Chattooga	15	None
Clarke	15	15
Cobb	10	None
Columbia	15	15
Deatur	10	10
Dougherty	15	15
Fulton	20	20
Glynn	50	50
Houston	20	10
Liberty	100	100
Lowndes	10	10
McIntosh	10	10
Muscogee	50	50
Newton	10	10
Peach	10	None
Richmond	20	20
Stephens	30	20
Troup	10	None
Whitfield	10	10
Idaho:		
Adams	40	None
Bannock	15	15
Bonneville	30	None
Clark	30	None
Elmore	90	60
Jerome	20	20
Kootenai	30	20
Valley	10	None
Illinois:		
Champaign	10	10
Du Page	10	10
Fulton	50	None
Hardin	10	None
Lake	10	10
Lee	10	None
Madison	10	10
Rock Island	10	None
St. Clair	10	10
Winnebago	10	10
Indiana:		
Bartholomew	60	40
Clark	30	30
Floyd	15	15
Johnson	10	10
Lake	10	10
La Porte	10	None
Marion	10	10
Porter	10	10
Scott	10	10
Starke	20	20
Tippecanoe	10	10
Vanderburgh	10	10
Iowa:		
Clayton	15	15
Des Moines	20	20
Kansas:		
Douglas	30	30
Finney	20	20
Geary	50	20
Johnson	30	30
Labette	15	None
Riley	10	10
Saline	50	50
Sedgwick	40	30

State and county	Percentage	
	For the period commencing July 1, 1943	For periods commencing on or after September 1, 1943
Kansas—Continued.		
Seward	30	20
Wyandotte	10	10
Kentucky:		
Christian	20	20
Hardin	30	30
Henderson	10	None
Jefferson	15	15
Madison	10	10
Union	70	40
Louisiana:		
Beauregard	20	20
Calcasieu	30	30
East Baton Rouge	30	30
Jefferson	20	20
La Salle	20	15
Orleans	15	15
Ouachita	10	10
Rapides	40	30
St. Mary	10	10
Vernon	90	80
Maine:		
Cumberland	15	15
York	10	10
Maryland:		
Anne Arundel	10	10
Baltimore City	15	15
Baltimore	20	20
Calvert	15	15
Cecil	20	15
Charles	20	20
Harford	30	30
Howard	10	10
Montgomery	30	30
Prince Georges	20	20
St. Marys	20	20
Massachusetts:		
Barnstable	30	30
Nantucket	20	20
Michigan:		
Calhoun	15	15
Chippewa	15	15
Macomb	30	30
Midland	10	None
Muskegon	10	10
Oakland	10	None
Ottawa	10	None
Washtenaw	20	20
Wayne	10	10
Mississippi:		
Amite	20	20
Forrest	70	70
Grenada	60	60
Harrison	50	50
Hinds	10	10
Jackson	60	60
Lowndes	10	None
Wilkinson	40	40
Missouri:		
Boone	10	None
Clay	10	10
Jackson	10	10
Newton	50	30
Phelps	20	20
Pulaski	80	50
St. Charles	10	None
St. Louis	15	15
St. Louis City	10	10
Montana:		
Cascade	15	None
Stillwater	20	20
Treasure	20	None
Nebraska:		
Adams	20	15
Box Butte	30	30
Deuel	30	None
Hall	10	10
Hooker	10	10
Lincoln	10	10
McPherson	15	None
Nevada:		
Clark	160	160
Lander	10	None
Mineral	230	230
Nye	40	40
Washoe	10	10
New Hampshire: Rockingham	10	10
New Jersey:		
Burlington	10	10
Gloucester	10	None
Middlesex	10	None
Monmouth	10	10
New Mexico:		
Bernalillo	30	30
Chaves	20	20
Curry	30	30
De Baca	20	20
Eddy	15	15
Grant	10	10
Hidalgo	30	None
Luna	50	50
McKinley	30	30

\*Copies may be obtained from the Office of Price Administration.



State and county	Percentage	
	For the period commencing July 1, 1943	For periods commencing on or after September 1, 1943
New Mexico—Continued.		
Otero	20	20
New York:		
Nassau	10	10
Seneca	20	20
Tompkins	15	15
North Carolina:		
Cabarrus	10	10
Cleveland	20	None
Craven	15	15
Cumberland	40	40
Durham	20	20
Graham	20	70
Hoke	10	10
Hyde	10	None
Moore	15	15
New Hanover	60	60
Onslow	100	100
Orange	10	None
Pasquotank	20	20
Richmond	20	15
Robeson	15	15
Union	15	None
Wayne	10	None
North Dakota: Mercer	10	None
Ohio:		
Franklin	10	10
Greene	20	20
Hamilton	10	10
Lake	10	10
Marion	10	None
Montgomery	15	15
Ottawa	10	10
Portage	10	10
Summit	10	10
Trumbull	10	10
Wood	30	30
Oklahoma:		
Cleveland	20	20
Comanche	70	70
Mayes	30	30
Muskogee	40	30
Oklahoma	15	15
Pittsburg	20	20
Tulsa	50	50
Oregon:		
Benton	50	40
Clatsop	30	30
Deschutes	30	10
Jackson	60	50
Linn	40	20
Multnomah	40	40
Tillamook	15	15
Umatilla	15	15
Pennsylvania:		
Beaver	10	None
Cambria	10	None
Delaware	10	10
Lebanon	10	10
Mercer	20	20
Rhode Island:		
Kent	15	15
Newport	40	40
Washington	30	30
South Carolina:		
Alken	15	15
Beaufort	10	10
Charleston	40	40
Dorchester	10	10
Greenville	10	10
Richland	30	30
Spartanburg	10	10
South Dakota:		
Fall River	10	10
Minnehaha	10	10
Tennessee:		
Blount	15	15
Coffee	30	30
Davidson	30	15
Hamilton	10	None
Henry	15	15
Jefferson	15	None
Johnson	10	10
London	10	10
Montgomery	40	30
Polk	50	50
Shelby	10	10
Sullivan	20	20
Unicoi	10	None
Texas:		
Bastrop	70	70
Bell	50	50
Bexar	30	30
Bowie	40	30
Brazoria	60	60
Brazos	20	20
Brewster	20	20
Brown	60	60
Callahan	10	10
Childress	20	20
Cochran	30	30
Comal	10	10
Cooke	70	70
Coryell	50	30

State and county	Percentage	
	For the period commencing July 1, 1943	For periods commencing on or after September 1, 1943
Texas—Continued.		
Dallam	30	30
Dallas	15	11
Deaf Smith	20	None
Denton	15	55
Dimmit	15	15
El Paso	20	20
Galveston	30	30
Gregg	10	10
Hall	15	None
Harris	10	None
Hansford	15	15
Hays	15	15
Hidalgo	10	10
Hockley	30	10
Howard	40	40
Hutchinson	20	20
Jackson	10	None
Jefferson	30	30
Kinney	60	60
Kleberg	20	20
Lamar	20	15
Lampasas	10	10
Lubbock	20	20
McLennan	15	15
Marion	15	None
Matagorda	40	40
Maverick	20	20
Medina	20	20
Midland	40	40
Moore	100	100
Nolan	50	50
Nueces	40	30
Oldham	15	10
Orange	120	120
Palo Pinto	60	60
Pecos	10	None
Potter	20	20
Randall	10	10
Reeves	30	30
Tarrant	20	20
Taylor	60	60
Terry	40	None
Tom Green	20	20
Travis	15	None
Val Verde	20	20
Victoria	20	20
Ward	30	30
Webb	15	15
Wichita	10	10
Zapata	10	None
Utah:		
Carbon	10	10
Davis	60	50
Millard	20	20
Salt Lake	20	20
Tooele	60	60
Utah	10	10
Weber	30	30
Vermont: Addison	10	None
Virginia:		
Arlington	40	40
Dinwiddie	40	40
Elizabeth City	30	30
Fairfax	40	40
Giles	10	10
Henry	10	10
James City	60	15
King George	20	20
Montgomery	60	50
Norfolk	100	100
Nottoway	90	60
Prince George	10	None
Prince William	30	30
Princess Anne	50	50
Pulaski	20	20
Rockbridge	15	None
Spotsylvania	20	None
Tazewell	10	None
Warwick	150	150
York	50	50
Independent cities:		
Alexandria	50	50
Bristol	50	50
Buena Vista	30	30
Charlottesville	10	10
Danville	80	80
Fredericksburg	30	30
Hampton	20	20
Hopewell	20	20
Martinsville	10	10
Newport News	80	80
Norfolk	40	40
Petersburg	20	10
Portsmouth	30	20
Radford	60	40
Richmond	20	20
South Norfolk	30	20
Suffolk	20	20
Williamsburg	60	60
Washington:		
Clark	70	70
Franklin	20	20

State and county	Percentage	
	For the period commencing July 1, 1943	For periods commencing on or after September 1, 1943
Washington—Continued.		
King	20	20
Kitsap	100	100
Mason	15	10
Pierce	20	20
Spokane	15	15
Thurston	15	15
West Virginia:		
Clay	15	15
Glimer	10	None
Kanawha	10	10
Monongalia	10	None
Wisconsin:		
Dane	10	10
Door	10	10
Manitowoc	15	None
Monroe	40	40
Sauk	15	20
Wyoming:		
Laramie	20	20
Park	20	20

Percentages for periods commencing before July 1, 1943, shall remain unchanged.

This amendment shall become effective August 14, 1943.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 12th day of August 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-13140; Filed, August 12, 1943; 12:02 p. m.]

#### PART 1409—COMMODITIES AND SERVICES

[Order 325 Under § 1499.3 (b) of GMPR, Amdt. 1]

#### NONFERROUS MILL PRODUCTS: DOMESTIC OR TREASURY SILVER

Amendment No. 1 to Order No. 325 under § 1499.3 (b) of the General Maximum Price Regulation. Maximum prices for nonferrous mill products.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Order No. 325 under § 1499.3 (b) of the General Maximum Price Regulation is amended in the following respects:

1. A new paragraph (h) is added to read as follows:

(h) *Commodities containing silver.*  
(1) No commodity priced under this order shall be sold at a price higher than would be arrived at by using the cost of foreign silver unless the following conditions are met:

(i) The seller must certify to the buyer that the commodity contains domestic or Treasury silver. This certification should be on or attached to the invoice.

(ii) The aggregate fine silver content of the commodity sold plus the fine silver content of all other commodities sold by the seller at the higher prices permitted

\*Copies may be obtained from the Office of Price Administration.



by the Office of Price Administration for commodities containing domestic or Treasury silver must not, at any time, exceed the aggregate quantity of domestic or Treasury silver purchased by the seller and not otherwise disposed of.

(2) *Definitions.* (i) "Domestic silver" means silver mined subsequent to July 1, 1939, from natural deposits in the United States of any place subject to the jurisdiction thereof.

(ii) "Treasury silver" means silver sold by the United States Treasury Department pursuant to an Act approved July 12, 1943, entitled "An Act To Authorize The Use For War Purposes of Silver Held Or Owned By The United States," (Pub. Law 137, 78th Cong.).

(iii) "Foreign silver" means any silver other than domestic or Treasury silver, as defined above.

(3) *Records.* In every case in which a commodity priced under this order is sold as containing domestic or Treasury silver the buyer shall retain the invoice and certification, and the seller shall retain a copy of these, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

This amendment shall become effective August 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of August 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-12965; Filed, August 10, 1943;  
10:40 a. m.]

#### PART 1409—COMMODITIES AND SERVICES [Order 443 Under § 1499.3 (b) of GMPR Amdt. 1]

##### MIXED METAL PRODUCTS: DOMESTIC AND TREASURY SILVER

Amendment No. 1 to Order No. 443 under § 1499.3 (b) of the General Maximum Price Regulation. Maximum prices for certain mixed metal products.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Order No. 443 under § 1499.3 (b) of the General Maximum Price Regulation is amended in the following respects:

1. Paragraph (b) (1) is amended to read as follows:

(1) Whenever a manufacturer of a commodity listed in paragraph (a) is unable to determine his maximum price for that commodity in accordance with the provisions of § 1499.2 of the General Maximum Price Regulation, he shall compute his maximum price by adding to the current "cost of metals" contained

in the commodity to be priced the amount by which his maximum price for his most comparable product, on a sale in the same quantity classification and to the same class of purchaser, exceeds the "cost of metals" contained therein.

2. Subparagraphs (5), (6) and (7) are added to paragraph (d) to read as follows:

(5) "Domestic silver" means silver mined subsequent to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof.

(6) "Treasury silver" means silver sold by the United States Treasury Department pursuant to an Act approved July 12, 1943, entitled "An Act To Authorize The Use For War Purposes of Silver Held Or Owned By The United States," (Pub. Law 137, 78th Cong.).

(7) "Foreign silver" means any silver other than domestic or Treasury silver, as defined above.

3. A new paragraph (e) is added to read as follows:

(e) *Commodities containing silver.*  
(1) No commodity priced under this order shall be sold at a price higher than would be arrived at by using the cost of foreign silver unless the following conditions are met:

(i) The seller must certify to the buyer that the commodity contains domestic or Treasury silver. This certification should be on or attached to the invoice.

(ii) The aggregate fine silver content of the commodity sold plus the fine silver content of all other commodities sold by the seller at the higher prices permitted by the Office of Price Administration for commodities containing domestic or Treasury silver must not, at any time, exceed the aggregate quantity of domestic or Treasury silver purchased by the seller and not otherwise disposed of.

(2) *Records.* In every case in which a commodity priced under this Order is sold as containing domestic or Treasury silver the buyer shall retain the invoice and certificate, and the seller shall retain copies of these, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

This amendment shall become effective August 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

NOTE: All reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of August 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-12964; Filed, August 10, 1943;  
10:39 a. m.]

#### PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 4-1, Amdt. 3]

##### FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

For the reasons set forth in the statement of considerations issued simultane-

ously herewith, and under the authority vested in the Regional Price Administrator of Region IV by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, section (e), It is hereby ordered, That section 16 (e) of Restaurant Maximum Price Regulation No. 4-1 be amended to read as set forth below, and that two new sections to be known respectively as section 20 and section 21, to read as set forth below, be added:

#### SEC. 16. *Definitions and explanations.*

(e) "Eating or drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold except those places which are specifically exempted in section 17 and in section 21 hereof.

SEC. 20. *Adjustments.* The Office of Price Administration may adjust the maximum prices for any eating establishment when it is demonstrated that:

(a) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(b) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(c) By reason of such discontinuance, the same meals or food items will either be unavailable or will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(a) Your name and address.

(b) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period, and such other information that may be useful in classifying your establishment. (In counting the number of persons served, any one who was served more than once is to be counted separately for each occasion he was served.)

(c) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(d) The names and addresses of the three nearest eating places of the same type as yours.

(e) A list showing your present and requested, adjusted maximum prices.

(f) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by the Regional Office or by any district office that has been authorized to do so by order of the Regional Office.

\*Copies may be obtained from the Office of Price Administration.



SEC. 21. *Seasonal eating and drinking places*—(a) *Exempt places*. If you are the proprietor of a seasonal eating or drinking place that:

(1) Was not open during the base period from April 4 to 10, 1943,

(2) Receives 90 percent or more of its total annual revenue during four calendar months of the year;

(3) Is located in an area for which no maximum rent regulation has been issued,

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order 50, and you are still subject to the provisions of section 18 of this Regulation. Pursuant to this latter section the administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places*. If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2 and 3.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 8.

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names and addresses of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

This amendment to Restaurant Maximum Price Regulation No. 4-1 shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

NOTE.—The reporting and record keeping provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this July 22, 1943.

JAMES C. DERIEUX,  
Regional Administrator.

[F. R. Doc. 43-12869; Filed, August 7, 1943; 4:19 p. m.]

#### PART 1341—CANNED AND PRESERVED FOODS

[MPR 306, Amdt. 14]

##### CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

A new § 1341.562b, is added to read as follows:

§ 1341.562b *Position of brokers*. In accordance with existing trade custom, every broker taking part in a sale in which the seller is a processor shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the broker plus the amount paid by the buyer to the seller shall not exceed the seller's maximum price plus allowable transportation actually paid by the seller or by the broker.

This amendment shall become effective on August 12, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13161; Filed, August 12, 1943; 4:34 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53, Amdt. 3]

##### FATS AND OILS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 11.9 is added to read as follows:

SEC. 11.9 *Denatured edible lard*. Where (a) denatured edible lard is sold for use in making an inedible product, and (b) where such lard is delivered by the seller on or before the 31st day of October 1943, the maximum price of such denatured edible lard shall be the same as the maximum price set forth above for similar edible lard that is not denatured.

This amendment shall become effective August 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13162; Filed, August 12, 1943; 4:34 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 1114, 1313, 2921, 3732, 3853, 4179, 4633, 4840, 6617, 10304, 10558, 10725, 10824.

#### PART 1364—FRESH, CURED AND CANNED

##### MEAT AND FISH

[Rev. MPR 239, Amdt. 9]

##### LAMB AND MUTTON CARCASSES AND CUTS AT WHOLESALE AND RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1364.167 is amended to read as follows:

§ 1364.167 *Duty to maintain grades and to determine maximum prices and to invoice accordingly*. No person shall sell, offer to sell, ship, deliver or break and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or cut unless it has been graded in accordance with the provisions of this section; and no person shall sell, offer for sale, or deliver and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or cut at a price higher than that established for the grade in which such carcass or cut has been classified.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have all lambs, including yearlings, and all sheep slaughtered by or for him, or sold by him, classified by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc.", as modified to the extent set forth in Appendix B of § 1364.527 of Revised Maximum Price Regulation No. 169, and as required by § 4002.3 of OES Regulation 1.<sup>1</sup> Each carcass and each wholesale cut derived therefrom shall be classified into one of the grades set out below.

##### Lamb:

Choice or better or AA  
Good or A  
Commercial or B  
Utility or C  
Cull or C

##### Yearling:

Choice or better or A  
Good or B  
Commercial or C  
Utility or C  
Cull or C

##### Mutton:

Choice or better or S  
Good or S  
Commercial or M  
Utility or R  
Cull or R

The "Specifications for Official U. S. Standards for Grades of Lamb Carcasses, Yearling Mutton Carcasses" set forth in Appendix J hereof, and incorporated herein as Section 1364.185, determine the proper classifications of each carcass, except that no mutton buck may be graded higher than commercial.

(b) In any instance where any person is unable to procure the services of an official grader within 24 hours after he

<sup>1</sup> 7 F. R. 10688, 8 F. R. 3589, 4786, 7679, 8677, 9066, 10444.

<sup>2</sup> 8 F. R. 10989.



has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) incorporated by reference, as modified, in paragraph (a) hereof, such person shall not be required to have the lamb or sheep slaughtered by, or for him, or sold by him, graded by an official grader of the U. S. Dept. of Agriculture for so long a period as the U. S. Dept. of Agriculture certifies in writing that it is unable to provide him with the services of an official grader. During such period, such lamb or mutton carcasses shall be graded by such person in accordance with the requirements of paragraph (a) of this section.

(c) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering sheep or lamb as a service for others, he shall not be required to have the lamb or sheep slaughtered by him graded by an official grader of the U. S. Dept. of Agriculture. Such lamb or mutton as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraph (a) of this section.

(d) Whenever any person having a financial interest in any lamb or mutton carcass which has been graded by an official grader pursuant to paragraph (a) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading by making an application for appeal in the manner provided in Reg. No. 5 (Appeal grading) incorporated by reference, as modified, in paragraph (a) hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(a) Each invoice, sales slip or other memorandum of sale covering sales of lamb or mutton carcasses, wholesale cuts or hotel supply cuts, shall show the grade and age classification of each lamb or mutton carcass or cut sold.

This amendment shall become effective as of July 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13164; Filed, August 12, 1943;  
4:35 p. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 355, Amdt. 9]

#### RETAIL CEILING PRICES FOR BEEF, VEAL, LAMB AND MUTTON CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 4423, 4922, 6214, 6428, 7199, 7827, 8185, 8945, 9366.

No. 161—3

Maximum Price Regulation No. 355 is amended in the following respects:

1. Section 6 is amended to read as follows:

SEC. 6. Grades—(a) (1) *Beef, veal, lamb and mutton must be graded.* All carcasses and wholesale cuts of beef, veal, lamb and mutton must be graded. The grades are these:

##### *Beef, veal and lamb grades*

Choice or AA  
Good or A  
Commercial or B  
Utility or C  
Cutter and Canner or D

##### *Mutton grades*

Good or S  
Commercial or M  
Utility or R

(2) If you slaughter the animal yourself, you must have it graded before you break the carcass. You must follow the rules for grading which are in Revised Maximum Price Regulation No. 169, § 1364.411, for beef and veal, and Revised Maximum Price Regulation No. 239, § 1364.167 for lamb and mutton, and the requirements contained in § 4002.4 of OES Regulation 1.<sup>2</sup> These rules may be obtained from your local Office of Price Administration office.

(3) You must not put different grades of meat together in your showcase.

(b) Variety meats and edible by-products. You must not put either different types of variety meats or edible by-products, or variety meats or edible by-products coming from different kinds of animals together in your showcase.

2. Section 8 is amended to read as follows:

SEC. 8. *Post your ceiling prices.* Not later than June 21, 1943, you must post at your store your "Official O. P. A. List of Retail Meat Prices." You may use an exact copy of the OPA List as long as the printing is just as legible and at least as large. Put it on or at the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one of each list posted for each 20 feet of meat counter space. You must get your official copies of the price lists for posting or copying from your war price and rationing board or from your district OPA office. If you display any cut of beef, veal, lamb or mutton, or any variety meat or edible by-product, as in your show case, you must put on it your selling price for that cut.

This amendment shall become effective as of July 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13165; Filed, August 12, 1943;  
4:35 p. m.]

<sup>2</sup> 8 F.R. 10989.

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 394, Amdt. 3]

#### RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 394 is amended in the following respects:

1. Section 6 is amended to read as follows:

SEC. 6. Grades—(a) (1) *Kosher beef, veal, lamb and mutton must be graded.* All wholesale cuts of kosher beef, veal, lamb and mutton must be graded. The grades are as follows:

##### *Beef, veal and lamb grades*

Choice or AA  
Good or A  
Commercial or B  
Utility or C  
Cutter and canner or D

##### *Mutton grades*

Good or S  
Commercial or M  
Utility or R

(2) If you slaughter the animal yourself you must have it graded before you break the carcass. You must follow the rules for grading which are contained in Revised Maximum Price Regulation No. 169 § 1364.411, for beef and veal, and Revised Maximum Price Regulation No. 239, § 1364.167, for lamb and mutton, and the requirements contained in § 4002.4 of OES Regulation 1.<sup>2</sup> These rules may be obtained from your local Office of Price Administration Office.

(3) You must not put different grades of meat together in your showcase.

(b) *Kosher variety meats and edible by-products.* You must not put either different types of kosher variety meats or edible by-products, or kosher variety meats or edible by-products, coming from different kinds of animals together in your showcase.

2. Section 8 is amended to read as follows:

SEC. 8. *Post your ceiling prices.* Not later than June 15, 1943, you must post at your store your "O.P.A. List of Retail Ceiling Prices for Kosher Meat". You may use an exact copy of the O.P.A. List as long as the printing is just as legible and at least as large. Put it on, or near the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one list posted for each 20 feet of meat counter space. You must get your official copies of the price list for posting or copying from your war price and rationing board or from your district O.P.A. office. If you display any cut of kosher beef, veal, lamb or mutton, as in your show case you must put on it your selling price for that cut.

<sup>1</sup> 8 F.R. 6364, 6548, 6618, 7200, 7692.

<sup>2</sup> 8 F.R. 10989.



This amendment shall become effective as of July 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13163; Filed, August 12, 1943;  
4:34 p. m.]

# PART 1464—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169, Amdt. 25]

## BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this Amendment No. 25 to Revised Maximum Price Regulation No. 169 has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. Section 1364.401 (d) is amended to read as follows:

(d) *Maximum prices for slaughtering services.* Any person who slaughters cattle or calves as a service for the purchaser of such cattle or calves shall remit to such purchaser an amount sufficient to make the cost of the dressed beef or veal carcass or of the wholesale cuts derived therefrom to such purchaser, equal to or less than the costs, which would be incurred by the purchaser, if he purchased the carcass or cuts from the slaughterer at the slaughterer's maximum price therefor: *Provided*, That this requirement shall not apply in cases where the purchaser does not acquire the carcasses or cuts for resale in any form: *Provided further*, That this requirement shall not apply with respect to the slaughter of cattle or calves for a purchaser who resells the meat derived therefrom other than at retail in those cases where the following circumstances exist and the slaughterer and purchaser have filed with the appropriate district, State, or regional office of the Office of Price Administration, evidence based upon regular business records showing that:

(1) The slaughterer during the period January, 1941, to March, 1942, inclusive, (i) did not sell any beef or veal carcasses or wholesale cuts and (ii) regularly slaughtered cattle or calves for such purchaser on a continuing contractual basis; and (2) during such period the purchaser (i) did not himself slaughter cattle or calves and (ii) procured at least 75 percent of the beef or veal sold by him from cattle or calves slaughtered for him by such slaughterer: *Provided, further*, That, on or after March 25, 1943, this requirement shall not apply in cases where the cattle or

calves slaughtered are certified to be club cattle or calves within the meaning of this Revised Maximum Price Regulation No. 169, as amended, and the supervisor, club agent, agricultural county agent, or vocational agricultural project teacher as the case may be, has filed a sworn certificate to the effect with the appropriate district, State, or regional office of the Office of Price Administration or any duly authorized representative thereof. Carcasses derived therefrom must be graded in accordance with the grade specifications contained in this Revised Maximum Price Regulation No. 169.

To enable the slaughterer to determine the amount to be remitted to the purchaser, it shall be the duty of such purchaser to advise the slaughterer of the amount paid for the cattle or calves slaughtered.

2. The headnote and introductory paragraph of Section 1364.411 is amended to read as follows:

§ 1364.411 *Duty to maintain grades.* No person shall sell, offer to sell, deliver or break any beef carcass or veal carcass, unless each such carcass has been graded in accordance with the provisions of this section. No custom slaughterer shall ship or deliver any beef carcass or wholesale cut, or veal carcass or wholesale cut unless each such carcass or wholesale cut has been graded in accordance with the provisions of this section. Each person shall maintain uniform grades, as specified in paragraph (a) of this section and shall determine his maximum prices upon the basis of such uniform grades rather than upon the basis of his own grades, as provided in paragraph (b) of this section.

3. Section 1364.411 (c) is amended to read as follows:

(c) *Duty to identify product by sex marks.* The sex identification shall be stamped on all bull and stag carcasses and wholesale cuts. The grade and prescribed sex identification of each beef carcass and wholesale cut, and veal carcass and wholesale cut must appear on the seller's invoice.

(1) The appropriate grade for each uniform grade shall be as follows:

### Beef grade

Choice or AA.  
Good or A.  
Commercial or B.  
Utility or C.  
Canner } or D.  
Cutter }

### Veal grade

Choice or AA.  
Good or A.  
Commercial or B.  
Utility or C.  
Cull or D.

(2) (i) No person shall sell, offer to sell, deliver or break any beef or veal carcass irrespective of grade unless such carcass has been examined and graded by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc.", as modified to the extent set forth in Appendix B hereof, and as required by Sec-

tion 4002.2 of OES Regulation 1.<sup>2</sup> However, in any instance where any person is unable to procure the services of an official grader within 24 hours after such person has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) contained in § 1364.527 hereof, then the provisions of this subparagraph shall not apply, for so long a period as the Food Distribution Administration of the United States Department of Agriculture certifies in writing that it is unable to provide such person with the services of an official grader. During such period such beef and veal carcasses shall be graded by the seller in the manner provided in paragraphs (a), (b), (c) (1) and (c) (2) of this § 1364.411.

(ii) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering cattle or calves as a service for others, he shall not be required to have the cattle or calves slaughtered by him graded by an official grader of the United States Department of Agriculture. Such beef or veal as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraphs (a), (b), (c) (1), and (c) (2) of this § 1364.411. "Farm slaughterer" as used in this paragraph (c) (2) (ii) means a person chiefly engaged in producing agricultural products as the resident operator of a farm who did not deliver meat in 1941 of a live weight of more than 10,000 pounds and whose current slaughter is not in excess of that permitted such slaughterers under Food Distribution Order No. 27<sup>3</sup> or any superseding order.

(3) Whenever any person having a financial interest in any beef or veal carcass which has been graded by an official grader pursuant to paragraph (c) (3) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading by making an application for appeal grading in the manner provided in Regulation No. 5 (appeal grading) contained in § 1364.527 hereof, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C. of such appeal.

4. The last paragraph of § 1364.452 (d) (2) is amended to read as follows:

The applicable zone price of each beef carcass or beef wholesale cut which has not been graded or identified by sex mark (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest-priced carcass or corresponding wholesale cut.

5. The last paragraph of § 1364.452 (d) (3) is amended to read as follows:

The applicable zone price of each kosher beef wholesale cut which has not been graded or stamped by sex marks (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest priced corresponding kosher wholesale cut.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 4097, 4786, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6945, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 10362, 9995, 10363, 10671.

<sup>2</sup> F.R. 10989.

<sup>3</sup> 8 F.R. 2785.



6. The last 2 paragraphs of § 1364.467 (d) (2) are amended to read as follows:

The applicable zone price of each veal carcass or veal wholesale cut which has not been graded or identified by sex mark (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest-priced carcass or corresponding wholesale cut.

The applicable zone price of each kosher veal foresaddle or forequarter which has not been graded or identified by sex mark (required by paragraph (c) of § 1364.411) when offered for sale, sold or delivered shall be the price of the lowest-priced kosher wholesale cut.

This amendment shall become effective as of July 16, 1943.

(Pub. Laws 421 and 729, 77th Cong.; and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 12th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13166; Filed, August 12, 1943;  
4:35 p. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans' Administration WOMEN'S ARMY CORPS

#### PART 2—ADJUDICATION: VETERANS' CLAIMS

§ 2.1001 *Persons included in the Acts in addition to commissioned officers and enlisted men.* \* \* \*

(p) *Commissioned officers and enlisted personnel of the Women's Army Corps.* On and after July 1, 1943, commissioned officers and enlisted personnel of the Women's Army Corps, from the date of commission or enlistment, shall be entitled to the same rights, privileges and benefits as members of the Officers' Reserve Corps or enlisted men of the United States Army, respectively. (August 17, 1943) [Pub. Law 110, 78th Cong.]

#### PART 4—ADJUDICATION: VETERANS' CLAIMS, CENTRAL OFFICE SECTION

Persons included, in addition to officers and enlisted men, other than those mentioned in the Act of July 14, 1862 and other controlling laws.

§ 4.2006<sup>1</sup> *Public No. 2, 73d Congress.* \* \* \*

(1) *Commissioned officers and enlisted personnel of the Women's Army Corps.* On and after July 1, 1943, commissioned officers and enlisted personnel of the Women's Army Corps, from the date of commission or enlistment, shall be entitled to the same rights, privileges and benefits as members of the Officers' Reserve Corps or enlisted men of the United States Army, respectively. (August 17, 1943) [Pub. Law 110, 78th Cong.]

FRANK T. HINES,  
Administrator.

[F. R. Doc. 43-13160; Filed, August 12, 1943;  
4:18 p. m.]

<sup>1</sup> See also § 2.1001.

## TITLE 42—PUBLIC HEALTH

### Chapter I—United States Public Health Service

#### PART 11—FOREIGN QUARANTINE

[U. S. Quarantine Regulations Amdt. 21]

#### BACTERIOLOGICAL EXAMINATION OF IMPORTATIONS OF SHAVING BRUSHES

Pursuant to the authority contained in section 3 of the Act of February 15, 1893, 27 Stat. 450 (U.S.C. title 42, sec. 92), paragraph 127 of the quarantine regulations of the United States (42 CFR 11.232) is hereby amended to read as follows:

§ 11.232 *Special measures against anthrax: sterilization of hair or bristles before being made into shaving or lather brushes.* Such hair or bristles before being made into shaving or lather brushes shall be sterilized by the following method: By exposure to steam under pressure at a minimum temperature of 118° C. for 70 minutes or at a minimum temperature of 120° C. for 60 minutes, except that badger hair may be sterilized by boiling in water at a temperature of 100° C. for 3 hours. Sterilized hair and bristles shall be stored apart from unsterilized hair or bristles in clean containers labeled with the method of sterilization and the name and location of establishment in which sterilized. Mixing machines, equipment, and fixtures used in the handling or processing of sterilized hair or bristles shall not be used for the handling or processing of hair or bristles which have not been sterilized. All shaving or lather brushes shall be marked permanently with the name of the manufacturer or with an identifying mark.

[SEAL] PAUL V. McNUTT,  
Federal Security Administrator.

JULY 28, 1943.

[F. R. Doc. 43-13175; Filed, August 13, 1943;  
10:33 a. m.]

## TITLE 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

#### PART 8—RULES GOVERNING SHIP SERVICE

##### MAIN TRANSMITTER REQUIREMENTS

The Commission on August 10, 1943, effective immediately, amended § 8.142 *Requirements of a main transmitter*, as follows:

(d) A main transmitter shall be equipped with suitable indicating instruments of approved accuracy to measure (1) the current in the antenna circuit, (2) the potential of the heating current applied to the cathode or cathode heater of each electron tube or a potential directly proportional thereto, and (3) the anode current of the radio frequency oscillator or amplifier which supplies power to the antenna circuit, or in lieu thereof, the anode current of such oscillator or amplifier plus the anode current of any other radio or audio frequency oscillator(s) or amplifier(s) normally employed as part of the transmitter.

(Sec. 4 (i), 48 Stat. 1068, 47 U.S.C. 154 (i))

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-13174; Filed, August 13, 1943;  
10:16 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket Nos. C-4, 58-FD, et al.]

FORD MOTOR COMPANY, ET AL.

#### ORDER OF DIRECTOR

In the matter of application for determination of status of certain coals and their exemption from the provisions of section 4 of the Bituminous Coal Act of 1937. Dockets Nos.: C-4, C-7, C-8, C-10, C-13, C-16, C-17, C-18, C-22, 58-FD, 59-FD, 477-FD, 490-FD, 597-FD, 599-FD, 1227-FD, 1560-FD, 1613-FD and 1877-FD.

These several proceedings were instituted by applications of various consumers and/or producers of bituminous coal seeking determination of the statuses of the coals produced at certain mines. The applications alleged exemption of the coals from the provisions of section 4 of the Bituminous Coal Act of 1937, under section 4 II (1) of the Act on the ground that they are both produced and consumed by the applicants, and/or under section 4-A of the Act on the ground that the transactions in these coals are in intrastate commerce and do not directly affect interstate commerce in coal, and/or under other provisions of the Act.<sup>1</sup>

Determinations have been made by the Director, in a number of these dockets, that the applicants are entitled to interim exemption of the coals involved pending final determination of the issues on the merits, or until the occurrence of some other contingency specified.

In Dockets Nos. C-16 and C-18, no hearings have been held on the applications of the Public Service Company of Indiana, Inc.

In the following proceedings, after appropriate notices, separate hearings have been held before duly-designated Examiners, interested parties being afforded an opportunity to participate fully therein; but no Examiners' Reports nor Director's orders have been issued:

#### Docket No. and Name

C-7, Ford Motor Company.  
C-22, Semet-Solvay Corporation.  
477-FD, Consolidated Indiana Coal Company and Trustees of the Estate of the Chicago, Rock Island, and Pacific Railway Company.  
597-FD, Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, Trustees of the Estate of the Chicago, Rock Island, and Pacific Railway Company.

In the following proceedings, separate hearings have been held after notices

<sup>1</sup> In Docket No. 599-FD, the existence of a contract prior to June 16, 1933, within the provisions of section 4 II (c) was also alleged. The Director found that such an issue was not appropriate in an exemption proceeding under section 4-A.



given, and Reports of the Examiners have been issued finding that the applicants were not both the producers and the consumers and/or that the transactions involved were in interstate commerce or directly affected interstate commerce, and that, therefore, the applications should be denied:

*Docket No. and Name*

C-4, C-10, Public Service Company of Indiana and its successor, Public Service Company of Indiana, Inc.  
58-FD, Youngstown Mines Corporation.  
59-FD, Buckeye Coal Company.  
490-FD, 1560-FD, 1227-FD, 1613-FD, 1877-FD: Public Service Company of Indiana and its successor, Public Service Company of Indiana, Inc.

In a number of these proceedings, exceptions were filed to the Reports of the Examiners and oral arguments thereon before the Director were requested.

In the following proceedings, after notices and hearings, the Examiners issued Reports in which they found that the applicants were both producers and consumers of the coal involved and, accordingly, entitled to exemption under section 4 II(1) of the Act; but none were found entitled to exemption under section 4-A of the Act as not being engaged in interstate commerce or commerce directly affecting interstate commerce:

*Docket No. and Name*

C-8, New York Central Railroad Company.  
C-13, Colorado Fuel and Iron Corporation.  
C-17, Public Service Company of Indiana, Inc.

Applications in Docket No. 599-FD were by Clearfield Bituminous Coal Corporation and New York Central Railroad Company. After notice, hearing, and filing of a Report by the Examiner, the Director issued an order denying the application of the Clearfield Bituminous Coal Corporation and dismissing the application filed by New York Central Railroad Company, on the ground that neither applicant was both a producer and consumer of the coal involved and that the transactions in the coal in question were in interstate commerce or directly affected interstate commerce. Before this order became effective, however, it was amended by an order suspending its effective date until further order, to enable the Director to determine whether the subsequent application filed by the New York Central Railroad Company in Docket No. C-8, referred to herein supra, was filed in good faith.

The Bituminous Coal Act of 1937, as amended, will terminate, except as provided in section 19 thereof, at 12:01 a. m. on August 24, 1943. At that time the scheme of price regulation established under the provisions of section 4 of the Act will become ineffective. Any relief which might be granted pursuant to section 4 II (1) or section 4-A, or other provisions of the Act, would be ineffective after that date. The above-enumerated proceedings all involve substantial questions of fact and would demand a careful weighing of the evidence if the issues were decided on the merits. In view of the approaching elapse of the statute, questions raised might become moot be-

fore reports could be submitted by the examiners where none have been issued, opportunities for filing exceptions accorded the parties, and the cases submitted to the Director for his consideration. The issues might likewise become moot before oral arguments could be held in the several cases where they were requested in exceptions to Reports issued by the Examiners. In those cases where Reports of the Examiners have been issued and no exceptions nor requests for oral argument have been filed, any orders of the Director on the merits which might be issued before the expiration of the Act would be subject to petitions for rehearing or reconsideration, and those proceedings might be prolonged until after the Act ceases to be in effect. Moreover, any order which might be issued before the expiration of the Act would become inoperative after the Act expires. For these reasons, I deem it unnecessary and inadvisable for any Examiner to file reports and for me to make findings of fact on the evidence and to consider the various issues on the merits.

Accordingly, I find that any interim exemptions now in effect should be terminated and the applications should be dismissed in Docket Nos. C-4, C-7, C-8, C-10, C-13, C-16, C-17, C-18, C-22, 58FD, 59FD, 477-FD, 490-FD, 597-FD, 599-FD, 1227-FD, 1560-FD, 1613-FD, and 1877-FD, effective 12:01 a. m. on August 24, 1943.

*It is so ordered.*

Dated: August 12, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13209; Filed, August 13, 1943;  
10:51 a. m.]

[Docket No. C-19]

BETHLEHEM STEEL CO. AND INDUSTRIAL  
COLLIERIES CORP.

MEMORANDUM OPINION AND ORDER OF  
DIRECTOR

In the matter of the acceptances of the Bituminous Coal Code submitted by Bethlehem Steel Company and Industrial Collieries Corporation with respect to certain mines in districts 1, 2, and 3.

On July 30, 1942, the Bethlehem Steel Company submitted to the Division an acceptance of the Bituminous Coal Code in which it represented itself as the producer of coals from various mines located in Districts 1, 2, and 3 in the States of Pennsylvania and West Virginia. On the same day Industrial Collieries Corporation submitted to the Division an acceptance of the Bituminous Coal Code in which it represented that Bethlehem Steel Company is the operator of the same enumerated mines but stated that Industrial Collieries Corporation also had the right to mine coal from these mines for its own account.

By appropriate notice the Division scheduled a hearing to determine whether either or both of the above-named companies are producers within the meaning of the Bituminous Coal Act of 1937. After notification to interested persons, a hearing was held October 20,

1942, before Travis Williams, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C. No report has as yet been submitted by the Examiner.

The Bituminous Coal Act of 1937 expires at 12:01 a. m., August 24, 1943. For this reason it appears appropriate to dismiss this proceeding forthwith.

*It is so ordered.*

Dated: August 12, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13210; Filed, August 13, 1943;  
10:51 a. m.]

[Docket No. A-1212]

DISTRICT BOARD NO. 11

ORDER DISMISSING PROCEEDINGS

In the matter of the petition of District Board No. 11 for revision of the schedule of minimum prices applicable to coals shipped from District No. 9 and District No. 11 to Charlestown and Speed, Indiana, market area No. 31, for a recoordination of the delivered price relationships of such coals at said destinations, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

On July 20, 1942, after notice and hearing Charles O. Fowler, a duly designated Examiner of the Division, issued his report in which he recommended that the relief requested in the petition be granted by increasing the minimum f. o. b. mine prices of District 9 coals for delivery at Speed, Charlestown, and Watson, Indiana, in District 11, so as to effect the same delivered price differentials at these destinations between coals produced in Districts 9 and 11 as exist between the same coals in Market Area 29.<sup>1</sup> Thereafter exceptions were filed thereto by District Board 9 and by Bituminous Coal Consumers' Counsel, and on October 12, 1942, an order was entered reopening the hearing herein. On December 9, 1942, after due notice to interested persons, the reopened hearing was held before Examiner Charles O. Fowler. A supplemental report covering the evidence adduced at the reopened hearing has not been filed by the Examiner.

In view of the expiration of the Bituminous Coal Act of 1937 on August 24, 1943, at 12:01 a. m., the minimum price schedules established by the Division pursuant thereto would cease to be operative, and an order in connection therewith would be ineffective on the date and time aforesaid. In view thereof, it would also appear that it is unnecessary and inadvisable that a report of the Examiner be filed and an order of the Director determining the issues on the merits be issued.

It should be noted that District Board 11 in this proceeding is seeking increases in the minimum prices of coals produced in District 9 for shipment to certain destinations in a market area located in District 11, so as to effect fair and equi-

<sup>1</sup> Temporary relief pending final disposition of the proceeding herein has not been granted.



table delivered minimum price differentials between the coals produced in the two districts. It does not request increases in the minimum prices of coals produced in District 11. Although a favorable determination of the relief requested might result in a corresponding increase in the maximum prices of some coals produced in District 9 for movement to the destinations involved, the question of increases in maximum prices for the coals produced in either District 9 or District 11 was not under consideration or otherwise adverted to in this proceeding. Moreover, it is not within the authority of the Bituminous Coal Division under section 4 II (d) of the Act to assume jurisdiction of proceedings instituted for the primary purpose of effecting revision or adjustment of the maximum prices established by the Office of Price Administration. In view thereof, and in view of the expiration of the Act as aforesaid, it follows that no reason is presented for a determination of the issues herein on the merits, and it is deemed appropriate that the proceedings herein be dismissed.

It is, therefore, ordered, That effective August 24, 1943 at 12:01 a. m., this proceeding is dismissed.

Dated: August 12, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13211; Filed, August 13, 1943;  
10:51 a. m.]

[Docket No. 601-FD]

AMERICAN ROLLING MILL COMPANY  
ORDER EXTENDING TIME FOR FILING  
EXCEPTIONS

In the matter of the application of American Rolling Mill Company, for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

On July 14, 1943, the Trial Examiner made his report in the above-entitled matter containing proposed findings of fact, proposed conclusions of law, and recommendations;

The applicant herein, American Rolling Mill Company, requested an extension of time in which to proceed further;

The Director finding that a reasonable showing of necessity therefor has been made and that the requested extension is not unreasonable;

It is ordered, That the time for filing exceptions to said Report of the Trial Examiner and brief be, and it hereby is extended to August 12, 1943.

It is further ordered, That the time for the filing of reply briefs in the above-entitled matter be, and it hereby is, extended to August 18, 1943.

Dated: August 12, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13212; Filed, August 13, 1943;  
10:51 a. m.]

[Docket No. 1857-FD]

M. A. HANNA COMPANY

MEMORANDUM OPINION AND ORDER OF THE  
DIRECTOR

In the matter of the application of the  
M. A. Hanna Company for permission to

accept and retain distributors' discounts on coal purchased and resold by it to M. A. Hanna Coal and Dock Company and M. H. Hussey Corporation.

On June 29, 1943, after notice and hearing, Joseph A. Huston, a duly designated Examiner of the Division, submitted a Report in which he found that the acceptance or retention of distributors' discounts by The M. A. Hanna Company, a registered distributor, (Registration No. 3962), petitioner, on coal purchased for resale to, and resold by, M. A. Hanna Coal and Dock Company and M. H. Hussey Corporation, in not less than cargo or railroad carload lots, or the equivalent thereof, without physically handling the same and not otherwise inconsistent with the Rules and Regulations for the Registration of Distributors, is not prohibited by section 317.19 (c) (formerly 304.19 (c)) of said Distributors' Rules, by the provisions of the Act or by other rules and regulations thereunder, but that the acceptance or retention of distributors' discounts by The M. A. Hanna Company or coal purchased for resale to, and resold by, M. A. Hanna Coal and Dock Company and M. H. Hussey Corporation, in less than cargo or railroad carload lots, or the equivalent thereof, physically handling the same or otherwise inconsistent with the Rules and Regulations for the Registration of Distributors, is prohibited by section 317.19 (c) of said Distributors' Rules, by the provisions of the Act and by other rules and regulations thereunder. The Examiner recommended that an order be entered granting relief in part and otherwise denying relief, in accordance with the proposed findings of fact and conclusions of law contained in said Report. An opportunity to file exceptions to the Report of the Examiner was afforded all interested parties, and as of the date hereof, no such exceptions have been filed.

I have considered the entire record in this proceeding, the brief filed by petitioner and the Examiner's Report, and upon the basis thereof I find that the Report adequately and accurately reflects the facts as disclosed by the record. Accordingly, I have concluded that the findings and conclusions therein contained should be approved and adopted as the findings of fact and conclusions of law of the Director.

Upon the basis of the entire record in this proceeding, and pursuant to section 317.19 (c) of the Rules and Regulations for the Registration of Distributors, and applicable provisions of the Act,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That the relief prayed for in the petition herein be and the same hereby is granted except as hereinabove provided, and in such respect the same is hereby denied.

Dated August 11, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-13213; Filed, August 13, 1943;  
10:51 a. m.]

DEPARTMENT OF THE INTERIOR.

Grazing Service.

WAGE RATES FOR CONSTRUCTION IN  
COLORADO

RECOMMENDATIONS OF GRAZING SERVICE WAGE  
BOARD TO SECRETARY OF THE INTERIOR

Pursuant to the order of the Secretary of the Interior dated June 15, 1943, and entitled "Wage Fixing Procedures, Field Employees, Grazing Service, Department of the Interior," the Grazing Service Wage Board has determined prevailing wage rates for field employees of the Grazing Service who are not allocated to grade under the Classification Act of 1923, as amended, and who are engaged in construction in Region 8 of the Grazing Service. Region 8 is composed of the State of Colorado. The Board has considered rates currently being paid by private employers, predeterminations by the Secretary of Labor under the Davis-Bacon Act, rates paid by other Government agencies, and rates established by collective agreement.

The Grazing Service Wage Board finds that the hourly wage rates listed below are prevailing for construction work in the State of Colorado and recommends them for your adoption:

Construction job title	Prevailing hourly rate on private work	Recommended basic hourly rate for G/S field employees
Blacksmith.....	\$1.25	\$1.25
Blacksmith helper.....	.80	.80
Carpenter.....	1.25	1.25
Compressor operator.....	1.25	1.25
Concrete finisher.....	1.25	1.25
Concrete mixer operator.....	1.25	1.25
Construction laborer.....	.70	.70
Construction laborer leadman.....	.80	.80
Electrician.....	1.50	1.50
Electrician helper.....	.80	.80
Grader operator (road or blade).....	1.00	1.00
Heavy duty mechanic.....	1.43	1.43
Iron worker, reinforcing.....	1.50	1.50
Iron worker, structural.....	1.50	1.50
Jackhammer operator.....	.90	.90
Labor foreman.....	1.20	1.20
Mixed gang foreman.....	1.50	1.50
Apprentice engineer and oiler.....	1.00	1.00
Painter.....	1.25	1.25
Pile driver operator.....	1.50	1.50
Plasterer.....	1.50	1.50
Plumber.....	1.50	1.50
Powderman.....	1.00	1.00
Powderman helper.....	.80	.80
Rock crusher operator.....	1.25	1.25
Shovel or dragline operator.....	1.50	1.50
Stone mason.....	1.50	1.50
Teamster, 2 up.....	.70	.70
Teamster, 3 up.....	.75	.75
Teamster, 4 up.....	.80	.80
Tractor operator (under 50 hp.).....	1.00	1.00
Tractor operator (50 hp. and over).....	1.43	1.43
Truck driver (2½ to 5 tons).....	.75	.75
Truck driver (5 tons and over).....	.90	.90
Truck driver (5 tons and over).....	1.00	1.00
Truck driver, special.....	1.25	1.25
Well driller.....	1.25	1.25
Well driller helper.....	.90	.90

It is the understanding of the Wage Board that the Grazing Service employees paid in connection with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to forty-hour week Act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The Wage Board recommends that all field employees of the Grazing Service in Region 8 not allocated to grade and



engaged in construction be classified or reclassified in accordance with the foregoing schedule, effective as of the beginning of business on May 1, 1943. The Board further recommends that all positions not allocated to grade and for which job titles are not listed above be abolished.

The Wage Board further recommends that no person employed by the Grazing Service on or after May 1, 1943, shall receive a reduction in basic wage rate due to promulgation of the recommended rates listed above.

The foregoing recommendations approved and adopted by the Grazing Service Wage Board this 28th day of July 1943.

DUNCAN CAMPBELL,  
Chairman.  
ARCHIE D. RYAN,  
Member.  
GUY W. NUMBERS,  
Member.

Approved: August 4, 1943.

ABE FORTAS,  
Acting Secretary of the Interior.

[F. R. Doc. 43-13169; Filed, August 13, 1943;  
9:42 a. m.]

## DEPARTMENT OF LABOR.

### Office of the Secretary.

[No. WLD-1]

THOMPSON-STARRETT COMPANY, INC.

#### FINDING OF THE SECRETARY

Whereas the Thompson-Starrett Company of New York, New York, is engaged in constructing apartment homes for certified war workers in Arlington and Fairfax Counties, Virginia, pursuant to a contract entered into on February 16, 1942 by the company and the Defense Homes Corporation of the National Housing Agency.

Now, therefore, pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. Law 89, 78th Congress, First Session) and the Directive of the President, dated August 10, 1943, published in the FEDERAL REGISTER on August 14, 1943:

I find that the construction of apartment homes for certified war workers in Arlington and Fairfax Counties by the Thompson-Starrett Company, Inc., New York, New York, pursuant to a contract with the Defense Homes Corporation of the National Housing Agency was contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 13th day of August 1943.

FRANCES PERKINS,  
Secretary of Labor.

[F. R. Doc. 43-13241; Filed, August 13, 1943;  
11:44 a. m.]

<sup>1</sup> Supra.

## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6529]

CHARLES C. CARLSON (WJBW)

### NOTICE OF HEARING

In re application of Charles C. Carlson (WJBW), dated August 14, 1942, for renewal of license, class of service, broadcast; class of station, broadcast; location, New Orleans, Louisiana; operating assignment specified: Frequency, 1,230 kc; Power, 250 watts; Hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether on or about February 9, 1940:

(a) The operating log was properly kept, or whether entries were made prior to the time shown thereon (§ 3.90 F.C.C. Rules and Regulations).

(b) Operating log contained entries showing times of the beginning and ending of the programs, as required by § 3.404, formerly § 3.90.

(c) Program log contained proper entries as to station identification, as required by § 3.404, formerly § 3.90.

(d) Program log contained proper entries showing the time at which records and transcriptions were announced as such, as required by § 3.404, formerly § 3.90.

2. To determine whether suitable facilities were provided for the operator's welfare and comfort from February 9, 1940 to December 15, 1942, inclusive, as required by § 3.46 of the Rules and section 12 (d) (2) of the Standards of Good Engineering Practice.

3. To determine whether on September 18, 1940, a fence was installed around the base of the antenna tower as required by § 3.46 and section 12-B (3) (d) of the Standards of Good Engineering Practice.

4. To determine whether on April 12, 1941 at 4:33 a. m. and 4:36 a. m. the operating frequency of the station was maintained within 50 cycles of the assigned frequency, as required by § 3.59 of the Rules.

5. To determine whether on May 23, 1941, June 4, 1941 and January 2, 1942, the transmitter proper and associated transmitting equipment were designed, constructed, maintained and operated in accordance with the provisions of section 3.46 and section 12-A (5) of the Standards of Good Engineering Practice issued pursuant thereto, particularly as to excessive carrier shift.

6. To determine whether on May 23, 1941, June 4, 1941, November 12, 1941, December 4, 1941, January 2, 1942, February 15, 1942, and May 21, 1942, the transmitter proper and associated transmitting equipment were designed, constructed, maintained and operated in accordance with the provisions of § 3.46 and section 12 of the Standards of Good Engineering Practice issued pursuant

thereto, particularly as to audio frequency distortion.

7. To determine whether on May 23, 1941:

(a) The operating percentage of modulation was maintained as high as possible consistent with good quality of transmission and good broadcast practice as required by § 3.55 (a) and (c) of the Rules.

(b) The licensee, on the above date or on any other date, moved his main studio without notifying the Commission, as required by § 3.31 of the Rules.

(c) The operating power of the station was maintained within the prescribed limits of the licensed power in accordance with § 3.57 of the Rules.

(d) The program log contained proper entries showing that records and transcriptions were properly announced as such.

8. To determine whether on June 4, 1941:

(a) Station was using direct method of power determination in accordance with § 3.51 of the Rules.

(b) The operating logs of the station truly and accurately reflect the operating conditions of the station.

9. To determine whether on December 4, 1941:

(a) The transmitter proper and the associated transmitting equipment were designed, constructed, maintained and operated in accordance with provisions in Section 3.46 and section 12 of the Standards of Good Engineering Practice, particularly as to asymmetrical modulation.

(b) The operating percentage of modulation of the station was maintained as high as possible consistent with good quality of transmission and good broadcast practice as required by § 3.55 (c) of the Rules.

(c) The transmitter proper and the associated transmitting equipment were designed, constructed, maintained and operated in accordance with provisions of § 3.46, section 12-B (3) (d) of the Standards of Good Engineering Practice, particularly as to a fence around the base of tower connected to 110 volt alternating current.

(d) To determine whether the log entries are complete for the period of November 1, 1941 through December 3, 1941, particularly with reference to announcers signing on and off duty; as to the beginning and ending of programs; as to the times transcriptions and records were announced as such and as to station identification as provided by § 3.404 of the Rules.

(e) The transmitter proper and the associated transmitting equipment were designed, constructed, maintained and operated in accordance with provisions of § 3.46, section 12-C of the Standards of Good Engineering Practice, particularly as to the manner in which the transmitter monitor speaker was connected to the source of power and also the manner in which the transmitter and studio audio transformers were wired into the circuits.

10. To determine whether on January 2, 1942:

(a) The operating power of the station was maintained within the prescribed limits of § 3.57 of the Rules.

(b) Modulation monitor installed at the station was in satisfactory operating condition, as required by § 3.55 of the Rules.



## 11. To determine whether:

(a) The licensee complied with the provisions of § 3.404 of the Commission's Rules between the dates of December 11 and December 15, 1941, with respect to the manner of keeping and making entries on the program log.

(b) The licensee on December 14, 1941 and December 15, 1941 failed to make proper announcement of the station's identification, as required by § 3.406.

12. To determine whether on January 14, 1942, the transmitter proper and the associated transmitting equipment were designed, constructed, maintained and operated in accordance with provisions of § 3.46, F.C.C. Rules and section 12-F (2) of the Standards of Good Engineering Practice, particularly with reference to spurious emissions between 9:00 p. m. and 10:00 p. m.

13. To determine whether on May 8, 1942, licensee failed to announce, at 30-minute intervals that records were being used from 5:00 to 6:30 p. m., c. w. t., as required by § 3.407 of the Rules.

14. To determine whether on May 29, 1942:

(a) Correct entries were made in the operating log, particularly with reference to antenna current and entries showing the times of the beginning and ending of programs, as required by §§ 3.404 (b) (4) (ii) and 3.404 (b) (2) of the Rules.

(b) The program log contains proper entries showing that mechanical reproductions had been announced as such, as required by § 3.404 (a) (2) of the Rules.

(c) The person having charge of the program log signed "on" and "off" duty as required by § 2.55.

(d) Studio announcer failed to announce the programs as recorded but entered in log that this had been done.

15. To determine whether on August 8, 1942 to August 14, 1942, inclusive, the transmitter proper and associated transmitting equipment were designed, constructed, maintained and operated in accordance with provisions of § 3.46, F.C.C. Rules and section 12-F (2) of the Standards of Good Engineering Practice, particularly with reference to the radiation of spurious emission.

16. To determine whether on December 15, 1942:

(a) The station's operating power was being maintained within the limits required by § 3.57 and Order No. 107.

(b) The correct log entry was made at 3:00 p. m. of the antenna current as required by § 3.404 (b) (4) (ii).

(c) The operating percentage of modulation was maintained as high as possible consistent with a good quality of transmission and good broadcast practice, as required by § 3.55 (c) of the Rules.

17. To determine whether on February 15, 1943, the antenna was illuminated in accordance with the specifications attached to the license as required by § 3.45 (d).

18. To determine whether on March 19, 1943, proper entries were made in the program log: (a) To show the time when a mechanical recording was announced as such and (b) indicate the nature of the programs broadcast as required by § 3.404 of the Rules.

19. To determine whether Station WJBW was operated at any time during

the period from 12:00 midnight to 6:00 a. m., February 10, 1943, without obtaining authority from the Third Fighter Command, as required by the Order of the Southern Defense Command.

20. To determine whether Station WJBW complied with the orders of the Third Fighter Command to report receipt of unscheduled radio silence test signals transmitted by the key broadcast station, particularly on the following dates: March 18, May 11, May 30, June 19 and June 29, 1943.

21. To determine the qualifications of the applicant to continue the operation of Station WJBW.

22. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Charles C. Carlson, Radio Station WJBW, 3617 Bruxelles Street, New Orleans, Louisiana.

Dated at Washington, D. C., August 10, 1943.

By the Commission,

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-13173; Filed, August 13, 1943;  
10:16 a. m.]

## FEDERAL POWER COMMISSION.

[Docket No. G-491]

UNITED GAS PIPE LINE COMPANY

NOTICE OF APPLICATION

AUGUST 12, 1943.

On August 3, 1943, United Gas Pipe Line Company, a Delaware corporation having its principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana, filed with the Federal Power Commission an application for a certificate of public convenience and necessity authorizing the construction and operation of a 4½" O. D. natural-gas pipe line extension of approximately 2.5 miles from the South Houma Field in Terrebonne Parish, Louisiana, running in a northwesterly direction and connecting with Applicant's proposed DeLarge extension at a point about ten miles northeast of the DeLarge Field in Terrebonne Parish, Louisiana. The application states that construction of the proposed South Houma extension will make available more gas for New Orleans where

the National war program has made necessary increased demands for natural gas from its system.

Any person desiring to be heard with respect to this matter or to protest thereto should, on or before September 1, 1943, communicate with the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 43-13171; Filed, August 13, 1943;  
9:42 a. m.]

[Docket No. G-492]

UNITED GAS PIPE LINE COMPANY

NOTICE OF APPLICATION

AUGUST 12, 1943.

On August 3, 1943, United Gas Pipe Line Company, a Delaware corporation, having its principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana, filed with the Federal Power Commission an application for permission and approval to remove and relocate certain natural-gas pipe-line facilities in Baton Rouge-New Orleans area, Louisiana, under section 7 (b) of the Natural Gas Act. The Applicant states that in order to meet the increased demand for natural gas in the New Orleans area mentioned, it is necessary to increase its pipe-line delivery capacity.

Applicant proposes to remove three segments aggregating approximately 108,000 feet of its 16" loops of the Baton Rouge-New Orleans line and to construct loops in its Lake Long-St. Rose line from a point located at Mile Post 18.86 from Long Field on the Godchaux Canal, La Fourche Parish, Louisiana, thence parallel with and in the present right-of-way of the said Lake Long-St. Rose line to the west header of the Mississippi River crossing, and from the east header of said crossing to point of connection of Lake Long-St. Rose line with Baton Rouge-New Orleans line near St. Rose, St. Charles Parish, Louisiana, a distance of approximately 18 miles, and to construct an additional 12" line crossing the Mississippi River between the above-mentioned headers, a distance of 0.6 of a mile.

The Applicant further states that after giving effect to the proposed removal, it will have remaining a capacity for transportation of gas to be received by it from Interstate Natural Gas Company, Inc., of 34,000 Mcf per day, which it estimates will be ample for future requirements, although it is 13,000 Mcf per day less than the present maximum capacity of its Baton Rouge-New Orleans line to transport gas south from Baton Rouge.

Anyone desiring to be heard with respect to this application or to protest thereto should, on or before September 1, 1943, communicate with the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington 25, D. C.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 43-13172; Filed, August 13, 1943;  
9:42 a. m.]



## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1941]

LATVIAN SHIPPING CO., MARTIN OSIS,  
KARLIS AIGARS

In re: Latvijas Kugniecibas Sabiedriba (Latvian Shipping Company) and Martin Osis, libelants, against S. S. Ciltvaira, her tackle, apparel, furniture, etc., and Daniel F. Young, Inc., respondents; Admiralty No. 122-195. And Latvijas Kugniecibas Sabiedriba (Latvian Shipping Company) and Karlis Aigars, libelants, against S. S. Abgara, her tackle, apparel, furniture, etc., and Augusts Peteris Galdins, respondents, Admiralty No. 122-40; File No. F-65-71; E. T. sec. 704.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles Recht and Joseph G. Kearns, trustees, acting under the judicial supervision of the United States District Court, Southern District of New York;

(2) Karlis Jansons and Janis Zalmanis are persons acting or purporting to act directly or indirectly for the benefit of or on behalf of a national of a designated enemy country, Germany, who is a person within such designated enemy country, Germany, and such persons are therefore nationals of a designated enemy country, Germany;

(3) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany; namely,

Nationals:	Last known address
Karlis Jansons	Riga, Latvia.
Janis Zalmanis	Riga, Latvia.
Georg Freimanis	Germany.
"Jane" Freimanis, true first name unknown, the widow of Janis Freimanis, deceased.	Germany.
Heirs, legatees, devisees, distributees, names unknown, entitled to receive the assets of the estate of Janis Freimanis, who died a resident of Germany.	Germany.

## And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

(5) The national interest of the United States requires that Karlis Jansons and Janis Zalmanis be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$258,398.76 together with any and all additions of interest and principal thereto subject to the deductions of any attorneys' fees and trustees' fees, commissions and expenses as may be payable pursuant

to an order of the court exercising jurisdiction over said sum which is in the possession of Joseph G. Kearns and Charles Recht as trustees for the Latvian Steamship "Ciltvaira".

The sum of \$578,826.75 together with any and all additions of interest and principal thereto subject to the deductions of any attorneys' fees and trustees' fees, commissions and expenses as may be payable pursuant to an order of the court exercising jurisdiction over said sum which is in the possession of Joseph G. Kearns and Charles Recht as trustees for the Latvian Steamship "Abgara".

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13176; Filed, August 13, 1943; 10:28 a. m.]

[Vesting Order 1942]

LATVIJAS KUGNIECIBAS SABIEDRIBA

In re: Latvijas Kugniecibas Sabiedriba, libelant, vs. steamship *Regent*, her tackle, apparel and furniture and Anders Svarrer, respondents Admiralty #16052, File No. F-9-100-65-71; E. T., sec. 704.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Charles Recht and Joseph G. Kearns, Trustees, acting under the judicial supervision of the United States District Court, Eastern District of New York.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

## Nationals:

	Last known address
Georg Freimanis	Germany.
"Jane" Freimanis, true first name unknown, the widow of Janis Freimanis, deceased.	Germany.
The heirs, legatees, devisees, distributees, names unknown, entitled to receive the assets of the estate of Janis Freimanis, who died a resident of Germany.	Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$333,793.93 together with any and all additions of interest and principal thereto subject to the deductions of any attorney's fees, trustees' fees, commissions and expenses as may be payable pursuant to an order of the court exercising jurisdiction over said sum which is in the possession of Joseph G. Kearns and Charles Recht as trustees for the Latvian Steamship "Regent",

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13177; Filed, August 13, 1943; 10:28 a. m.]

[Vesting Order 1943]

TRUST UNDER WILL OF IDA GRONEMANN

In re: Trust under will of Ida Gronemann, deceased; File No. D-9-100-28-2601; E. T. sec. 3951.



Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

**Finding that—**

(1) The property and interests hereinafter described are property which is in the process of administration by Charles E. Thorn, of New York, New York, Substituted Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Wilhelm Weiss.....	Germany.
Emma Mutz.....	Germany.

**And determining that—**

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelm Weiss and Emma Mutz, and each of them, in and to trust created under the last will and testament of Ida Gronemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13178; Filed, August 13, 1943; 10:28 a. m.]

No. 161—4

[Vesting Order 1944]

**ESTATE OF GUSTAV A. GUSSMANN**

In re: Estate of Gustav A. Gussmann, also known as Gustav Adolf Gussman, deceased; File F-28-51; E. T. sec. 2278.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

**Finding that—**

(1) The property and interests hereinafter described are the property which is in the process of administration by Laura E. Wasserott, Administratrix, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Italy, namely

Nationals:	Last known address
Julie Grieb.....	Germany.
Marta Grieb.....	Germany.
Wilhelm Weeber (Weeber).....	Germany.
Walter Gussmann.....	Germany.
Mrs. Marie Weeber (Weeber).....	Germany.
Dr. Otto Grieb.....	Germany.
Otto Gussmann.....	Italy.

**And determining that—**

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Julie Grieb, Marta Grieb, Wilhelm Weeber (Weeber), Walter Gussmann, Mrs. Marie Weeber (Weeber), Dr. Otto Grieb and Otto Gussmann and each of them in and to the Estate of Gustav A. Gussmann, also known as Gustav Adolf Gussmann, deceased,

to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon,

on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13179; Filed, August 13, 1943; 10:28 a. m.]

[Vesting Order 1945]

**TRUST UNDER WILL OF JENNIE LeBELL**

In re: Trusts under the will of Jennie LeBell, deceased; file No. D-66-592; E. T. sec. 4630.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

**Finding that—**

(1) The property and interests hereinafter described are property which is in the process of administration by the President and Directors of the Manhattan Company, as Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Oscar Hatschek.....	Germany.
Leo Hatschek.....	Germany.
Betty Beer.....	Germany.
Horst Hatschek.....	Germany.
Rudolph Hatschek.....	Germany.
Kurt Hatschek.....	Germany.
Camillo Hatschek.....	Germany.

**And determining that—**

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Oscar Hatschek, Leo Hatschek, Betty Beer, Horst Hatschek, Rudolph Hatschek, Kurt Hatschek and Camillo Hatschek, and each of them, in and to trusts created under the will of Jennie LeBell, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be



paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13180; Filed, August 13, 1943;  
10:29 a. m.]

[Vesting Order 1946]

#### TRUST UNDER WILL OF FREDERICK LENNIG

In re: Trust under the will of Frederick Lennig, deceased; File D-28-2462; E. T. sec. 3546.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Pennsylvania Company for Insurances on Lives and Granting Annuities, Trustee, acting under the judicial supervision of the Orphans Court, Philadelphia County, Philadelphia, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Emma L. Von Glaubitz	Germany.
Agnes Von Glaubitz Krems	Germany.
Maria Ilsa Von Glaubitz	Germany.

And determining that:

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Emma L. Von Glaubitz, Agnes Von Glaubitz Krems and Maria Ilsa Von Glaubitz and each of them, in and to a trust created under the will of Frederick Lennig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13181; Filed, August 13, 1943;  
10:29 a. m.]

[Vesting Order 1947]

#### ESTATE OF FRIEDA MAYER

In re: Estate of Frieda Mayer, deceased; File No. D-28-3595; E. T. sec. 5845.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook, State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Erika Steinmann	Germany.
Ernst Mayer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Erika Steinmann in the sum of \$129.43, and Ernst Mayer in the sum of \$129.43, which amounts were deposited with the Treasurer of Cook County, Illinois, on October 2, 1941, pursuant to order of the court of October 2,

1941, to the credit of the aforesaid nationals,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13182; Filed, August 13, 1943;  
10:29 a. m.]

[Vesting Order 1948]

#### TRUST UNDER WILL OF PATRICK MCBRIDE

In re: Trust under the will of Patrick McBride, deceased; File D-66-477; E. T. sec. 3424.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity-Philadelphia Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Philadelphia County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
James W. McBride	Italy.
Jessie McBride Amici-Grossi and issue.	Italy.
Eliza McBride Kelton and her issue.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,



Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of James W. McBride, Jessie McBride Amici-Grossi and her issue and Eliza McBride Kelton and her issue, and each of them, in and to the Trust Estate created under the Will of Patrick McBride, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13183; Filed, August 13, 1943;  
10:29 a. m.]

[Vesting Order 1949]

#### ESTATE OF ANNA L. NOLDE

In re: (a) Trust created by order of the Orphans' Court of Berks County, Pennsylvania, in the estate of Anna L. Nolde, Settlor.

(b) Trust under Deed of Trust dated May 19, 1928, executed by Anna L. Nolde, for the use and benefit of Caroline Pipgras, et al.; File D-28-2320; E. T. sec. 3119.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by The Reading Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Berks County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Juergen Georg Pipgras (Piepgras).	Germany.
Caroline Pipgras (Piepgras)----	Germany.
Frieda Kohlert.	Germany.
Marie Carstensen.	Germany.
Louise Vagt Hasse.	Germany.
Person or persons, names unknown, the child or children and issue of any deceased child or children of Frieda Kohlert, Marie Carstensen and Louise Vagt Hasse.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Juergen Georg Pipgras (Piepgras) in and to the trust estate created by order of the Orphans' Court of Berks County, Pennsylvania, in the estate of Anna L. Nolde, Settlor.

(b) All right, title, interest and claim of any kind or character whatsoever of Juergen Georg Pipgras (Piepgras), Caroline Pipgras (Piepgras), Frieda Kohlert, Marie Carstensen, Louise Vagt Hasse, and person or persons, names unknown, the child or children and issue of any deceased child or children of Frieda Kohlert, Marie Carstensen and Louise Vagt Hasse, in and to the trust estate created by Deed of Trust dated May 19, 1928, executed by Anna L. Nolde, for the use and benefit of Caroline Pipgras, et al,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13184; Filed, August 13, 1943;  
10:30 a. m.]

[Vesting Order 1950]

#### TRUST UNDER WILL OF ADOLPH E. NORDEN

In re: Trust under Will of Adolph E. Norden, deceased; File No. D-28-1678; E. T. sec. 567.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Treasurer of the City of New York, Depositary, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Cornelia Pauline Hohne Dette.	Germany.
Adolph Heinze Hohne.	Germany.
Irene Johanna Hohne.	Germany.
Erwin Karl Albrecht Sandreczki.	Germany.
Ingrid Pauline Sandreczki.	Germany.
Siegrid Cornelia Sandreczki.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Cornelia Pauline Hohne Dette, Adolph Heinze Hohne, Irene Johanna Hohne, Erwin Karl Albrecht Sandreczki, Ingrid Pauline Sandreczki and Siegrid Cornelia Sandreczki, and each of them, in and to the trust created under the Last Will and Testament of Adolph E. Norden, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.



The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

F. R. Doc. 43-13185; Filed, August 13, 1943;  
10:30 a. m.]

[Vesting Order 1951]

#### ESTATE OF JOHANN OBERMEYER

In re: Guardianship of estate of Johann Wetzel Washington Otto Obermeyer, a minor; File No. F-28-9063; E. T. sec. 4986.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

#### Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The National City Bank of New York, Guardian, acting under the judicial supervision of the Surrogate's Court of New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	Last known address
Johann Wetzel Washington Otto Obermeyer.	Germany.

#### And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Johann Wetzel Washington Otto Obermeyer of any nature whatsoever in the possession of The National City Bank of New York, as Guardian of the Estate of Johann Wetzel Washington Otto Obermeyer,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13186; Filed, August 13, 1943;  
10:30 a. m.]

[Vesting Order 1952]

#### TRUST UNDER WILL OF REVEREND ANGELO PERRONE

In re: Trust under the will of Reverend Angelo Perrone, deceased; File D-38-1154; E. T. sec. 3891.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

#### Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Scranton Lackawanna Trust Company, Substituted Trustee, acting under the judicial supervision of the Orphans, Court of Lackawanna County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	Last known address
Giuseppe Perrone.....	Italy.

#### And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Giuseppe Perrone in and to the Trust Estate created under the Will of Reverend Angelo Perrone, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13187; Filed, August 13, 1943;  
10:30 a. m.]

[Vesting Order 1953]

#### ESTATE OF GEORGE F. RAUH

In re: Estate of George F. Rauh, deceased; File No. D-28-1511; E. T. sec. 575.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

#### Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of Superior Court No. 2, Allen County, Fort Wayne, Indiana, as depository, acting under the judicial supervision of Superior Court No. 2 of the State of Indiana, in and for the County of Allen; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
William Rauh.....	Germany.
Nikol Koestner.....	Germany.
Herman Koestner.....	Germany.
Emma Maehringer.....	Germany.
Jakob Schlegel.....	Germany.
Anna Schlegel.....	Germany.

#### And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to William Rauh in the sum of \$976.25, Nikol Koestner in the sum of \$333.33, Herman Koestner in the sum of \$333.33, Emma Maehringer in the sum of \$333.34, Jakob Schlegel in the sum of \$473.40 and Anna Schlegel in the sum of \$500.00,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.



Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13188; Filed, August 13, 1943;  
10:30 a. m.]

[Vesting Order 1954]

TRUST UNDER WILL OF HENRY  
REICHENBACH

In re: Trust under the will of Henry Reichenbach, deceased; File D-28-3493; E. T. sec. 5574.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William H. Orr of Brooklyn, New York, Gessinne Reichenbach of Westfield, New Jersey and Harry C. Landwehr of New York, New York, Co-Executors and Trustees, acting under the judicial supervision of the Union County Orphans' Court of Union County, New Jersey; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Henny Kopke.....	Germany.
The husband of Henny Kopke, whose name is unknown.	Germany.
Walter Bade.....	Germany.
Helma Bade.....	Germany.
Alwine Steudel.....	Germany.
The issue of Alwine Steudel, whose names are unknown.	Germany.
Gretchen Wege.....	Germany.
Frieda Wallachs.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and

certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Henny Kopke, the husband of Henny Kopke, whose name is unknown, Walter Bade, Helma Bade, Alwine Steudel, the issue of Alwine Steudel, whose names are unknown, Gretchen Wege and Frieda Wallachs, and each of them, in and to the Trust estate created under the Last Will and Testament of Henry Reichenbach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13189; Filed, Aug. 13, 1943;  
10:31 a. m.]

[Vesting Order 1955]

TRUST UNDER WILL OF HERMAN RUMPEN

In re: Trust under will of Herman Rumpen, deceased; File D-28-2475; E. T. sec. 3696.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York, as Successor Trustee, acting under the judicial supervision of the Bergen County Orphans' Court, of Bergen County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	Last known address
Caroline Rumpen.....	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Caroline Rumpen in and to the Trust Estate created under the Last Will and Testament of Herman Rumpen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13190; Filed, August 13, 1943;  
10:31 a. m.]

[Vesting Order 1956]

ESTATE OF DOMENICK SANTOMENNA

In re: Estate of Domenick Santomena, also known as Domenick A. Santomena, Domenico Santomena, Dominick A. Santomena and Dominick Santomena; File No. D-38-540; E. T. sec. 5871.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by James F. Egan, as Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;



(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National: Last known address  
Lello Santomenna..... San Fele, Province  
of Luciana, Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Lello Santomenna in and to the Estate of Domenick Santomenna, also known as Domenick A. Santomenna, Domenico Santomenna, Dominick A. Santomenna and Dominick Santomenna, Deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13191; Filed, August 13, 1943;  
10:36 a. m.]

[Vesting Order 1957]

#### TRUST UNDER WILL OF OTTO SARTORIUS

In re: Trust under the will of Otto Sartorius, deceased; File F-28-5918; E. T. sec. 5099.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York and Herman U. Sartorius, co-trustees, acting under the judicial supervision of Orphans Court, Monroe County, Pennsylvania:

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: Last known address  
Hedwig Grief..... Germany.  
Clara Grief..... Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hedwig Grief and Clara Grief, and each of them, in and to the Trust Estate created under the Will of Otto Sartorius, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13192; Filed, August 13, 1943;  
10:36 a. m.]

[Vesting Order 1958]

#### ESTATE OF CHARLES SHAWL

In re: Estate of Charles Shawl, also known as C. Shawl, deceased; File D-28-3770; E. T. sec. 3455.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Crocker First National Bank of San Francisco, Executor and Trustee, acting under the judicial supervision of the Superior Court of the State of California in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: Last known address  
Jeanetta Rosenstrauch..... Germany.  
Cerline Sawady..... Germany.  
Elfriede Klein Levy..... Germany.  
Gustav Sawady..... Germany.  
Alfred Sawady..... Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Jeanetta Rosenstrauch, Cerline Sawady, Elfriede Klein Levy, Gustav Sawady, Alfred Sawady, and each of them in and to the Estate of Charles Shawl, also known as C. Shawl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form



APC-1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-13193; Filed, August 13, 1943;  
10:36 a. m.]

[Vesting Order 1959]

#### ESTATE OF JULIUS STEFFEN

In re: Estate of Julius Steffen, deceased; File D-28-3436; E. T. sec. 5466.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

##### Finding that—

(1) The property and interests herein after described are property which is in the process of administration by Rosa Steffen (also known as Rose A. Steffen), 2509 West Grant Street, Milwaukee, Wisconsin, Executrix, acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	<i>Last known address</i>
Reinhold Steffen.....	Hafelberg, Province of Brandenburg, Germany.

Person or persons, names unknown, the legal heirs of Reinhold Steffen.	Germany.
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Margaretta Wittenhagen.	Stettin, Province of Pommern, Germany.
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Person or persons, names unknown, the legal heirs of Margaretta Wittenhagen.	Germany.
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##### And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Reinhold Steffen, person or persons, names unknown, the legal heirs of Reinhold Steffen, Margaretta Wittenhagen, and person or persons, names unknown, the legal heirs of Margaretta Wittenhagen, and each of them, in and to the estate of Julius Steffen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-13194; Filed, August 13, 1943;  
10:36 a. m.]

[Vesting Order 1960]

#### TRUST UNDER WILL OF FRANKLYN F. WILBUR

In re: Trust under will of Franklyn F. Wilbur, deceased; File No. D-66-537; E. T. sec. 3667.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

##### Finding that—

(1) The property and interests herein after described are property which is in the process of administration by Bank of New York, Trustee, acting under the judicial supervision of the Surrogate's Court of New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	<i>Last known address</i>
Marie W. Turini, her children and their issue and the next of kin of any deceased child of Marie W. Turini whose names are unknown.	Italy.

##### And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and

certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie W. Turini, her children and their issue and the next of kin of any deceased child of Marie W. Turini whose names are unknown, and each of them, in and to the trust estate created under the will of Franklyn F. Wilbur, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-13195; Filed, August 13, 1943;  
10:36 a. m.]

[Vesting Order 1961]

#### ESTATE OF MARGARETHA WITT

In re: Estate of Margaretha Witt, deceased; File D-28-3674; E. T. sec. 6022.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

##### Finding that—

(1) The property and interests herein after described are property which is in the process of administration by August C. Wichmann, and George Schuenhoff, executors, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,



Nationals:	Last known address
Gretchen Mewes	Germany.
Johanna Roenke	Germany.
Anna Schuhmacher	Germany.
Christine Roenke	Germany.
Christian Martens	Germany.
Maria Wienberg	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gretchen Mewes, Johanna Roenke, Anna Schuhmacher, Christine Roenke, Christian Martens and Maria Wienberg, and each of them, in and to the Estate of Margaretha Witt, deceased, to be held, used, administered liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13196; Filed, August 13, 1943;  
10:37 a. m.]

[Vesting Order 1967]

ESTATE OF JOHN BEVILACQUA

In re: Estate of John Bevilacqua, also known as John Bevilacqua, deceased; File D-38-651; E. T. sec. 6526.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by A. H. Winkel, Administrator, acting under the judicial supervision of the Superior Court of the State of Washington in and for the County of Snohomish;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Mario Traverso (nee Bevilacqua)	Italy.
and her heirs and devisees, names unknown.	
Giovanni Traverso and his heirs and devisees, names unknown	Italy.
The heirs and devisees, names unknown, of John Bevilacqua, also known as John Bevilacqua, deceased.	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order, or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maria Traverso (nee Bevilacqua) and her heirs and devisees, names unknown, Giovanni Traverso and his heirs and devisees, names unknown, and the heirs and devisees, names unknown of John Bevilacqua, also known as John Bevilacqua, deceased, and each of them in and to the estate of John Bevilacqua, also known as John Bevilacqua, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13197; Filed, August 13, 1943;  
10:37 a. m.]

[Vesting Order 1968]

ESTATE OF ADELE LOVY

In re: Estate of Adele Lovy, deceased; File No. D-34-58; E. T. sec. 314.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Max Kohn, Administrator, acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	Last known address
Anna Kohn	Budapest, Hungary.
Henrik Kellet	Budapest, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary, and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Kohn and Henrik Kellet, and each of them in and to the Estate of Adele Lovy, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date



hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13198; Filed, August 13, 1943;  
10:38 a. m.]

[Vesting Order 1969]

In re: Estate of Johanna Michalski, deceased; File D-9-100-28-2092; E. T. sec. 2403.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by William Vogelsang and Rev. John F. Pfluger, executors of the estate of Johanna Michalski, deceased, acting under the judicial supervision of the Surrogate's Court, Erie County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:  
Marie Rahmel..... Last known address Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Marie Rahmel in and to the Estate of Johanna Michalski, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian

a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13199; Filed August 13, 1943;  
10:38 a. m.]

[Vesting Order 1970]

ESTATE OF DOMINICO PERRY

In re: Estate of Dominico Perry, deceased; File D-38-462; E. T. sec. 843.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank Rizzuto, Administrator, acting under the judicial supervision of the Superior Court in the State of Washington, County of Spokane;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:  
Carmela Perri..... Last known address Italy.  
Rosina Perri..... Italy.  
Palma Rose Perri..... Italy.  
Filomena Perri..... Italy.  
Santo Perri..... Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Carmela Perri, Rosina Perri, Palma Rose Perri, Filomena Perri and Santo Perri and each of them in and to the Estate of Dominico Perry, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it

should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13200; Filed August 13, 1943;  
10:38 a. m.]

[Vesting Order 1971]

TRUST UNDER WILL OF HUGH Y. PURVIANCE

In re: Trust u/w Hugh Y. Purviance, deceased, entitled Frances Susan King, et al. vs. Frances H. King, et al.; Petition of the Fidelity Trust Company, Substituted Trustee, and Frances H. King vs. Elizabeth P. King, Katharine King, Hugh P. King, and Virginia M. King, his wife. File F-66-99; E. T. sec. 3630.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity Trust Company, Substituted Trustee, acting under the judicial supervision of the Circuit Court No. 2 of Baltimore City, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:  
Elizabeth P. King..... Last known address Rome, Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth P. King in and to the Trust created under the will of Hugh Y. Purviance, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an



appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13201; Filed, August 13, 1943;  
10:38 a. m.]

[Vesting Order 1972]

GUSTAV A. SCHLENS, ET AL.

In re: Gustav A. Schlens, et al., Executors vs. Catherine Wilkens, et al., "Marriage Settlement"; File D-28-2402; E. T. sec. 4316.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Safe Deposit and Trust Company of Baltimore, 13 South Street, Baltimore, Maryland, Substituted Trustee, acting under the judicial supervision of the Circuit Court for Baltimore County, Maryland;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Christian Wilkens.....	Germany.
Alice Wilkens Von Buchwaldt.....	Germany.
Hans-Henning Von Bose.....	France.
Irene Renate Alice Von Ribbeck.....	France.

And determining that—

(3) Hans-Henning Von Bose and Irene Renate Alice Von Ribbeck, citizens or subjects of a designated enemy country, Germany, and within an enemy occupied country, France, are nationals of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christian Wilkens, Alice Wilkens Von Buchwaldt, Hans-Henning Von Bose and Irene Renate Alice Von Ribbeck, and each of them, in and to the trust estate created by Order of the Circuit Court of Baltimore County, Maryland, pursuant to the terms of a marriage settlement agreement dated August 5, 1872 between William and Catherine Wilkens,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13202; Filed, August 13, 1943;  
10:38 a. m.]

[Vesting Order 1973]

TRUST UNDER WILL OF HENRY W. SCHMIDT

In re: Trust under the Will of Henry W. Schmidt, deceased; File No. D-28-1737; E. T. sec. 766.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the City Bank Farmers Trust Company, 22 William Street, New York, N. Y., Trustee, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Florence D. Uhde and her lineal descendants.....	Germany.
Anna Elisa Uhde.....	Germany.
Herman Uhde.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Elisa Uhde, Herman Uhde, and Florence D. Uhde and her lineal descendants, and each of them, in and to the Trusts created under the Last Will and Testament of Henry W. Schmidt, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13203; Filed, August 13, 1943;  
10:38 a. m.]

[Vesting Order 1974]

ESTATE OF SHUN T. TAKAHASHI

In re: Estate of Shun T. Takahashi, deceased; File D-39-1416; E. T. sec. 54.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of a demonstration by James Jorgensen, Jr., Public Administrator, Kalispell, Montana, Administrator, acting under the judicial supervision of the District Court of the Eleventh Judicial District of the State of Montana, in and for the County of Flathead;

(2) Such property and interests are payable or deliverable to, or claimed by, na-



nationals of a designated enemy country, Japan, namely,

Nationals:	Last known address
Shokichi Takahashi.....	Japan
Minomatsu Takahashi.....	Japan

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Shokichi Takahashi and Minomatsu Takahashi, and each of them, in and to the estate of Shun T. Takahashi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13204; Filed, August 13, 1943;  
10:39 a. m.]

[Vesting Order 1975]

TRUST UNDER WILL OF HENRY P. TOWN-  
SLEY

In re: Trust under Will of Henry P. Townsley, deceased; File No. D-38-1664; E. T. sec. 4557.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Archibald R. Watson, Trustee, acting under the judicial su-

No. 161—5

pervision of the Surrogate's Court of New York County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Enrico VonEles.....	Messina, Sicily, Italy.
Elvira VonEles.....	Messina, Sicily, Italy.
Elena VonEles Ser- vadio Cortesi.	Messina, Sicily, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever, of Enrico VonEles, Elvira VonEles and Elena VonEles Servadio Cortesi, and each of them, in and to the trust created under the Will of Henry P. Townsley, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 7, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-13205; Filed, August 13, 1943;  
10:39 a. m.]

[Vesting Order 279, Amdt.]

STOCK OF NORTH POINT CONSOLIDATED  
IRRIGATION COMPANY

Correction

In F.R. Doc. 43-12585 appearing on page 10833 of the issue for Wednesday, August 4, 1943, the heading, which reads "Stock of North Point Consolidated Engineering Company," should read "Stock of North Point Consolidated Irrigation Company."

## OFFICE OF PRICE ADMINISTRATION.

### LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on August 11, 1943.

#### Order Number and Name

RMPR 135, Order 8, Westminster Fertilizer Co. et al.  
MPR 188, Order 572, William H. Reinholz.  
MPR 188, Order 573, Travelers Bag Co. Inc.  
MPR 134, Order 10, Freeborn Equipment Co.  
MPR 134, Order 11, Townsco Equipment Co.  
MPR 114, Order 4, Corr., Rayonier Incorp.  
MPR 127, Order 13, Advance Fabrics Co. et al.  
Supp. Order 9, Order 8, Ballard Fish & Oyster Co., Inc.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,

Head, Editorial and Reference Section.

[F. R. Doc. 43-13158; Filed, August 12, 1943;  
2:59 p. m.]

### LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register August 12, 1943.

#### Order Number and Name

MPR 136, Order 84, Nationale Jet Co.  
MPR 136, Order 85, Raytheon Mfg. Co.  
MPR 157, Order 30, Atlanta Woolen Mills.  
MPR 188, Order 575, American Mattress Co.  
MPR 188, Order 357, Am. 1, B. F. Jay & Co.  
RPS, 43, Order 4, Lacquer Chemicals, Inc.  
MPR 244, Order 33, Gwathmey Mfg. Co.  
MPR 246, Order 12, C. S. Bell Co.  
Supp. Order 9, Order 9, Sierra Talc Co.  
2d Rev. Max. Export Price Reg., Order 7, Hobar Products Corp.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,

Head, Editorial and Reference Section.

[F. R. Doc. 43-13232; Filed, August 13, 1943;  
11:23 a. m.]

### Regional, District and State Office Orders.

[Oklahoma City Order G-1 Under Gen. Order 50, Amdt. 2]

### DOMESTIC MALT BEVERAGES IN OKLAHOMA CITY DISTRICT

Order No. G-1, Amendment No. 2 Under General Order No. 50. Filing of prices by restaurants and similar establishments: Delegation of authority to fix maximum prices.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Oklahoma City, Oklahoma, District Office of Region V of the Office of Price Administration by General Order No. 50, issued by the Ad-



ministrator of the Office of Price Administration, and Region V Delegation Order dated April 13, 1943, *It is hereby ordered*, That section 9 (a) (1) be amended as set forth below:

**Sec. 9. Maximum "dollars and cents" prices.** (a) The maximum "dollars and cents" prices which may be charged for the beverage items subject to this order, are:

(1) In bottles:

Brand or trade name	Maximum price per bottle	
	12 oz.	32 oz.
Barbarossa Domestic Malt Beverage (Beer)	16	36
Blatz Domestic Malt Beverage (Beer)	16	36
Budweiser Domestic Malt Beverage (Beer)	16	36
Canadian Ace Domestic Malt Beverage (Beer)	16	36
Coors Domestic Malt Beverage (Beer)	16	36
Country Club Domestic Malt Beverage (Beer)	16	36
Grain Belt Domestic Malt Beverage (Beer)	16	36
Hamm's Preferred Domestic Malt Beverage (Beer)	16	36
Kingsbury Pale Domestic Malt Beverage (Beer)	16	36
Millers-High Life Domestic Malt Beverage (Beer)	16	36
Muehlebach Domestic Malt Beverage (Beer)	16	36
Old Style Lager Domestic Malt Beverage (Beer)	16	36
Pabst Blue Ribbon Domestic Malt Beverage (Beer)	16	36
Pilsner Club Domestic Malt Beverage (Beer)	16	36
Pom-Roy Domestic Malt Beverage (Beer)	16	36
Schlitz Domestic Malt Beverage (Beer)	16	36
Zollers-Topping Domestic Malt Beverage (Beer)	16	36
Red Top Ale Domestic Malt Beverage (Ale)	16	36
A B C Domestic Malt Beverage (Beer)	11	26
Alpen Brau Domestic Malt Beverage (Beer)	11	26
Berlin Domestic Malt Beverage (Beer)	11	26
Blue Bonnet Domestic Malt Beverage (Beer)	11	26
Bohemian Style Domestic Malt Beverage (Beer)	11	26
Embassy Club Domestic Malt Beverage (Beer)	11	26
Falstaff Domestic Malt Beverage (Beer)	11	26
Gold Seal Domestic Malt Beverage (Beer)	11	26
Grand Prize Domestic Malt Beverage (Beer)	11	26
Griesedieck Domestic Malt Beverage (Beer)	11	26
Hnas Domestic Malt Beverage (Beer)	11	26
High Brau Domestic Malt Beverage (Beer)	11	26
Jax Domestic Malt Beverage (Beer)	11	26
Keller Domestic Malt Beverage (Beer)	11	26
Lang Domestic Malt Beverage (Beer)	11	26
Lone Star Domestic Malt Beverage (Beer)	11	26
Mellow Brew Domestic Malt Beverage (Beer)	11	26
Millers-Export Domestic Malt Beverage (Beer)	11	26
Mountain Top Domestic Malt Beverage (Beer)	11	26
Muskegon Domestic Malt Beverage (Beer)	11	26
Old Gold Domestic Malt Beverage (Beer)	11	26
Old King Domestic Malt Beverage (Beer)	11	26
Pearl Domestic Malt Beverage (Beer)	11	26
Pioneer Domestic Malt Beverage (Beer)	11	26
Polo Domestic Malt Beverage (Beer)	11	26
Prima Domestic Malt Beverage (Beer)	11	26
Progress Domestic Malt Beverage (Beer)	11	26
Reebuck Domestic Malt Beverage (Beer)	11	26

Brand or trade name	Maximum price per bottle	
	12 oz.	32 oz.
Schoot's Highland Domestic Malt Beverage (Beer)	11	26
Shiner Domestic Malt Beverage (Beer)	11	26
Silver Cream Domestic Malt Beverage (Beer)	11	26
Silver Fox Domestic Malt Beverage (Beer)	11	26
Southern Select Domestic Malt Beverage (Beer)	11	26
Stag Domestic Malt Beverage (Beer)	11	26
State Domestic Malt Beverage (Beer)	11	26
Stern Brau Domestic Malt Beverage (Beer)	11	26
Topaz Domestic Malt Beverage (Beer)	11	26
White Seal Domestic Malt Beverage (Beer)	11	26
Zollers-Blackhawk Domestic Malt Beverage (Beer)	11	26
Zollers-Pilsener Domestic Malt Beverage (Beer)	11	26

This amendment to Order No. G-1 under General Order No. 50 shall become effective August 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, Gen. Order 50, 8 F.R. 4808)

Issued at Oklahoma City, Oklahoma, this 3d day of August 1943.

REX A. HAYES,  
District Director.

[F. R. Doc. 43-13079; Filed, August 11, 1943; 4:29 p. m.]

[Region III Order G-5 Under MPR 165]

POWER LAUNDRIES IN WAYNE COUNTY,  
MICH.

Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services. Power laundries in Wayne County, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by section 114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered*:

(a) The maximum prices established by Maximum Price Regulation No. 165, as amended, for family laundry services at retail supplied by power laundries situated in Wayne County, Michigan, are modified so that the maximum prices shall be the prices set forth in Appendix A.

(b) The maximum price of a family laundry service which does not conform exactly to the description of one of the family services listed in Appendix A shall be that of the listed service, all of whose specifications are met by the unlisted service. Thus, where an unlisted service offers more elements of laundry service than a particular listed service, but does not meet the specifications of a higher-priced listed service, its maximum price

shall be that of the lower-priced listed service.

(c) The maximum prices for family laundry services other than those for which maximum prices are established by this order rendered by power laundries situated in Wayne County, Michigan, shall be governed by Maximum Price Regulation No. 165, as amended, or any other applicable price regulation.

(d) Power laundries situated in Wayne County, Michigan, shall continue to accept as wearing apparel and flatwork those articles which have customarily been accepted as such, but may charge for all others at list price. In the services numbered 4 and 5, starch must be supplied where necessary for proper finishing of wearing apparel (including shirts) unless the customer requests no starch. Handkerchiefs are to be priced and treated as wearing apparel.

(e) All power laundries shall continue to offer such discounts to cash-and-carry customers as were allowed in March 1942.

(f) Within thirty days after the issuance of this order, each laundry in Wayne County, Michigan, offering family laundry services at retail shall post in its own establishment in a place and manner so that it is plainly visible to the purchasing public a placard or poster containing the description of family laundry services and the specific ceiling prices approved for that laundry, and also a similar description, with prices as authorized, of any other family laundry service offered. Also, within thirty days after the issuance of this order, each such laundry shall furnish to each customer a statement containing in full such information as is required to be posted. Thereafter each new customer shall receive a copy of the same statement or an equivalent statement.

(g) A power laundry may not refuse to supply any lower-priced laundry service which it supplied in March 1942, if it supplies or offers to supply any higher-priced service which includes the same or substantially the same processes (with or without additional processes) as the low-priced service; except that a laundry may substitute for any service supplied in March 1942 the service listed in Appendix A of this order which most closely resembles it in specifications and price.

(h) No additional charges of any kind may be added to the maximum prices established by this order.

(i) Lower prices for each of the services covered by this order may be charged, offered, demanded, or paid.

(j) As used in this order, the terms:

(1) "Family laundry services" means all laundry services except those supplied on a commercial or institutional basis.

(2) "Power laundries" means all establishments offering laundry services for sale, except such laundries as do not use power machinery to wash laundry.



## (k) Appendix A: Maximum prices for family laundry services.

TABLE 1

Services	Maximum prices
Service No. 1: Damp wash, in which all laundry is washed and returned damp.	X Level: 20 lbs. for \$1.00, plus 5¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Y Level: 20 lbs. for \$1.12, plus 5¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Z Level: 20 lbs. for \$1.24, plus 6¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Z* see below.
Service No. 2: Damp and flat, in which the wearing apparel is washed and returned damp and the flatwork washed and returned finished, ready for use.	X Level: 20 lbs. for \$1.55, plus 7¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Y Level: 20 lbs. for \$1.65, plus 7½¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Z Level: 20 lbs. for \$1.75, plus 8¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Z* see below.
Service No. 3: Rough Dry, in which the wearing apparel, if any, is washed and returned dry, and the flatwork is washed and returned finished, ready for use.	X Level: 20 lbs. for \$1.70, plus 8¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Y Level: 20 lbs. for \$1.85, plus 9¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Z Level: 20 lbs. for \$2.00, plus 10¢ for each additional lb. If requested, each shirt finished for 12¢ extra. Z* see below.
Service No. 4: Family Finish in which both wearing apparel and flatwork are washed and returned finished, ready for use.	X Level: Flatwork 10¢ per lb. Wearing apparel 30¢ per lb. Minimum charge \$2.00. Y Level: Flatwork 10¢ per lb. Wearing apparel 35¢ per lb. Minimum charge \$2.00. Z Level: Flatwork 10¢ per lb. Wearing apparel 40¢ per lb. Minimum charge \$2.00.
Service No. 5: List Price, in which wearing apparel, flatwork and specialties are washed and returned finished, ready for use.	X Level: Shirts, regular..... \$0.18 Shirts, work..... .18 Collars..... .05 Undershirts, cotton..... .10 Undershirts, wool..... .15 Underdrawers, cotton..... .10 Underdrawers, wool..... .15 Union suits, cotton..... .20 Union suits, wool..... .25 Nightshirts..... .20 Pajama suits, cotton..... .25 Pajama suits, silk..... .30 Handkerchiefs..... .03 Socks, pair..... .07 Work pants..... .35 Overall jumper..... .25 Overall pants..... .25 Overall combination..... .35 Civilian uniforms..... .40 Sheets..... .12 Pillow slips..... .06 Kitchen towels..... .04 Hand towels..... .06 Bath towels..... .06 Wash cloths..... .03 X* See below.

Z\* By the designation Z\*, certain laundries, as indicated in Table 2 below, are given a maximum price of 15¢ for finishing shirts in Services 1, 2, and 3.

X\* By the designation X\*, certain laundries, as indicated in Table 2 below, are given a maximum price of 20¢ for the finishing of shirts in Service No. 5.

In Service No. 5 (finished list service), there may be imposed a minimum charge of 75¢ for cash-and-carry customers and a minimum charge of \$1.00 for delivery customers.

TABLE 2

In accordance with the prices set forth in Table 1 above, the established maximum prices for power laundries in Wayne County, Michigan, shall be as follows:

## PRICES FOR SERVICES AS SET FORTH IN TABLE 1 ABOVE

Laundry and address	No. 1	No. 2	No. 3	No. 4	No. 5
Acme Quality Laundry Co., 431 E. Elizabeth	Y	Y	X	X	X
American Laundry Co., 3508 Caniff	X	X	X	X	X
Banner Laundering Co., 2233 Brooklyn	Y	X	Y	X	X
Belle Isle Laundry, 2127 E. Fort	X	X	Z	X	X
Bond Laundry, 4620 15th	X	Y	Z	X	X
Colonial Laundry Co., 617 Hendrie	Z*	Z*	Z*	Z	X*
Dispatch-Hudson Laundry Co., 43 Cortland	X	X	X	X	X
Duncan Laundry Co., 4630 Crane	X	X	X	X	X
Durable Laundry & Cleaners, 8885 Livernois	X	Z	Z	Y	X
East End Laundry, 2559 Hillger	Y	X	X	X	X
Federal Laundry, 658 W. Elizabeth	Y	Y	Z	X	X
Fenwick Laundry Co., 531 E. Forest	Z	Z	Z	X	X*
Fine Arts Laundry Co., 5435 McGraw	Z*	Z*	Z*	Z	X*
Grand Laundry, 1250 W. Lafayette	Z*	Z*	Z*	Z	X*
High Grade Laundry Co., 3731 Wabash	X	X	X	X	X
Hoyt Steam Laundry, 631 Bagley	X	X	X	X	X
Ideal Family Laundry, 654 Meldrum	X	X	X	X	X
Kuhn's Snow White Laundry, 16046 Woodward	Z	X	X	X	X*
La Measure Bros. Inc., 1450 21st	X	Z	Z	Z	X*
Modern Laundry Co., 3705 E. Jefferson	X	X	Z	Z	X
Monarch Laundry, 3431 Woodward	X	X	Z	Y	X*
National Laundry Co., 555 Farnsworth	X	X	Z	Y	X
New Method Laundry, 4643 Moran	Y	Y	Y	X	X
Nu-Parker Laundry Co., 2950 Parker	X	X	Y	X	X
Palace Model Laundry & Cleaning Co., 711 E. Jefferson	X	Z	X*	Y	X*
Paris Laundry, Inc., 558 E. Warren	Z*	Z*	Y	Z	X*
Pilgrim Laundry & Dry Cleaning Co., 6200 Peter Smith	Y	Y	Y	X	X
Pioneer Laundry & Cleaning Co., 4255 McGraw	X	Y	Y	X	X
Puritan Laundry Co., 12025 Woodward	Z	Y	Z	Y	X
Quality Laundry Co., 12009 Lovendale	Z	Z	Y	Y	X
Royal Laundry, 3748 E. Fort	Y	Y	Y	Y	X
Sani-Wash Laundry Co., 4001 6th	Y	Z	Z	Y	X
Sanitary Laundry Co., 5170 Vermont	X	X	X	X	X
Splendid Laundry, 10315 Harper	X	X	Z	X	X
Sunshine Family Laundry, 1221 Terminal	Z	Y	Y	X	X
Troy Laundry, 4127 Grand River	X	X	Z	X	X
U. S. Laundry Co., 2624 Elmwood	Y	Z	Z	Y	X
Wash-Rite Laundry, 6837 Chase Road	Z	X	Y	X	X
Wayne Laundry, 12641 Woodrow Wilson	Y	X	X	X	X
Weller Laundry Co., 567 Beacon	X	X	Z	Y	X*
White Eagle Laundry Co., 2925 Evaline	Z	X	Z	X	X

(l) This order may be revoked, amended, or corrected at any time.

(m) This order shall become effective May 24, 1943. Issued this 22d day of May 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-13157; Filed, August 12, 1943;  
2:59 p. m.]

[Region III Order G-5 Under MPR 165,  
Amdt. 1]

## POWER LAUNDRIES IN WAYNE COUNTY, MICH.

Amendment No. 1 to Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services. Power laundries in Wayne County, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by Section 114 (d) of Maximum Price Regulation No. 165, as amended, and by Revised General Order No. 32, It is hereby ordered, That paragraph (m) be amended into two separate paragraphs to read as set forth below:

(m) Any laundry subject to the provisions of this order shall put the prices contained in this order into effect on or before July 1, 1943. Until such prices are put into effect, the maximum prices which may be charged shall be those determined under the provisions of Maximum Price Regulation No. 165, as amended. No laundry is obliged to avail

itself of the provisions of this Order prior to July 1, 1943, but if it is used by a laundry for any purpose it must be used by such laundry in all circumstances herein covered. Any laundry subject to the provisions of this order may charge less than the maximum prices herein set forth.

This order shall become effective May 28, 1943.

This amendment to Order No. G-5 under Maximum Price Regulation No. 165, as amended, shall become effective May 28, 1943.

Issued this 27th day of May 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-13147; Filed, August 12, 1943;  
3:01 p. m.]

[Region VI Order G-65 Under 18 (c)]

## MILK IN OGALLALA, NEBR.

Order No. G-65 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of fluid milk prices for Ogallala, Nebraska.

For reasons set forth in an accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, It is hereby ordered:

(a) Maximum prices. Maximum prices for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Ogallala, Nebraska area are hereby established as follows:



	Wholesale	Retail
Regular standard butterfat content milk:		
Gallon.....	39	43
Quart.....	10	12
Pint.....	5½	
½ pint.....	3	

(b) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Ogallala, Nebraska area shall mean:

i. All sales made within the city limits of Ogallala, Nebraska and all sales at or from an establishment located in Ogallala, Nebraska; and

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Ogallala, Nebraska.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 percent or the legal minimum established by statute or municipal ordinance, processed, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(c) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective June 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13148; Filed, August 12, 1943; 3:01 p. m.]

[Region VI Order G-66 Under 18 (c) and MPR 329]

#### MILK IN ALLIANCE, NEBR.

Order No. G-66 under § 1499.18 (c) of the General Maximum Price Regulation and under Maximum Price Regulation No. 329—Purchase of Milk From Producers for Resale as Fluid Milk. Adjustment of fluid milk prices for Alliance, Nebraska.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration § 1499.18 (c) of the General Maximum Price Regulation, and § 1351.408 of Maximum Price Regulation No. 329, It is ordered:

(a) *Maximum producer prices.* The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors whose establishments are located in Alliance, Nebraska shall be \$2.70 per cwt. for 3.5 percent milk, plus 4¢ for each 1/10 of a pound of butterfat in excess of 3.5 percent and less 4¢ for each 1/10 of a pound of butterfat below 3.5 percent.

(b) *Maximum distributor prices.* The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Alliance, Nebraska, area shall be:

	Wholesale	Retail
Regular standard milk:		
Gallons.....	38	44
Quarts.....	10	12
Pints.....	6	7
½ pints.....	3	4
Buttermilk:		
Gallons.....	38	44
Quarts.....	10	12
Pints.....	6	7
½ pints.....	3	4
Skim milk:		
Gallons.....	12	14

(c) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Alliance, Nebraska, area shall mean:

i. All sales made within the city limits of Alliance, Nebraska, and all sales at or from an establishment located in Alliance, Nebraska.

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Alliance, Nebraska.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed, and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

4. Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and § 1351.404 of Maximum Price Regulation No. 329, as the case may be, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13149; Filed, August 12, 1943; 3:01 p. m.]

[Region VI Order G-67 Under 18(c) and MPR 329]

#### MILK IN PORT WASHINGTON, WIS.

Order No. G-67 under § 1499.18 (c) of the General Maximum Price Regulation and under Maximum Price Regulation No. 329—Purchase of Milk From Producers For Resale as Fluid Milk. Adjustment of fluid milk prices for Port Washington, Wisconsin.

For reasons set forth in an opinion issued simultaneously herewith and

under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, and § 1351.408 of Maximum Price Regulation No. 329, It is ordered:

(a) *Maximum producer prices.* The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors whose establishments are located in Port Washington, Wisconsin shall be \$3.00 per cwt. for 4 per cent milk, plus 4¢ for each 1/10 of a pound of butterfat in excess of 4 per cent and less 4¢ for each 1/10 of a pound of butterfat below 4 per cent.

(b) *Maximum distributor prices.* The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Port Washington, Wisconsin area shall be:

	Wholesale	Retail
Regular milk and chocolate milk:		
Gallon.....	\$0.40	\$0.44
½ gallon.....	.21	.23
Quart.....	.11	.12
Pint.....	.06	.07
½ pint.....	.03	.04

(c) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Port Washington, Wisconsin area shall mean:

i. All sales made within the city limits of Port Washington, Wisconsin and all sales at or from an establishment located in Port Washington, Wisconsin.

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Port Washington, Wisconsin.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed, and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

4. Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and § 1351.404 of Maximum Price Regulation No. 329, as the case may be, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 14, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13150; Filed, August 12, 1943; 3:02 p. m.]



[Region VI Order G-68 Under 18 (c) and MPR 329]

# MILK IN FREEPORT, ILL.

Order No. G-68 under § 1499.18 (c) of the General Maximum Price Regulation and under Maximum Price Regulation No. 329—Purchase of Milk From Producers for Resale as Fluid Milk. Adjustment of fluid milk prices for Freeport, Illinois.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, and § 1351.408 of Maximum Price Regulation No. 329, *It is ordered:*

(a) *Maximum producer prices.* The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors whose establishments are located in Freeport, Illinois shall be \$2.85 per cwt. for 3.5 percent milk, plus 4¢ for each 1/10 of a pound of butterfat in excess of 3.5 percent and less 4¢ for each 1/10 of a pound of butterfat below 3.5 percent.

(b) *Maximum distributor prices.* 1. The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Freeport, Illinois area shall be:

	Wholesale	Retail
Regular and homogenized milk:		
Gallons.....	\$0.46	\$0.50
Quarts.....	.11½	.13½
½ pints.....	.03½	
¾ quarts.....		.05
Guernsey milk and Jersey milk:		
Quarts.....	.13	.15
Chocolate and Vitamin D milk:		
Quarts.....	.12	.14
½ pints.....	.03½	
¾ quarts.....		.05
Skim milk:		
Gallons.....	.16	
Quarts.....	.05	.06
Butter milk:		
Quarts.....	.09	.11
Gallons.....	.30	

2. Where the maximum price set forth above is expressed in terms of a half cent, the price charged for a single unit at retail may be increased to the next even cent. Home deliveries at retail and all sales at wholesale shall be considered multiple unit sales unless separate collections are made for single units delivered.

(1) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Freeport, Illinois area shall mean:

i. All sales made within the city limits of Freeport, Illinois, and all sales at or from an establishment located in Freeport, Illinois.

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Freeport, Illinois.

2. Milk shall mean cow's milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed, and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

4. Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and § 1351.404 of Maximum Price Regulation No. 329, as the case may be, and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 24, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13151; Filed, August 12, 1943; 3:02 p. m.]

[Region VI Order 69 Under 18 (c)]

# MILK IN HARTFORD, WIS.

Order No. G-69 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of fluid milk prices for Hartford, Wisconsin.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) *Maximum prices.* Maximum prices for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Hartford, Wisconsin area are hereby established as follows:

	Wholesale	Retail
Regular standard milk:		
Gallon.....	\$0.40	\$0.44
Quart.....	.10½	.12
Pint.....	.06	.07
½ pint.....	.03	.04

(b) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Hartford, Wisconsin area shall mean:

i. All sales made within the city limits of Hartford, Wisconsin and all sales at or from an establishment located in Hartford, Wisconsin; and

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Hartford, Wisconsin.

2. Milk shall mean cow's milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(c) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 15th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 9th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13152; Filed, August 12, 1943; 3:03 p. m.]

[Region VI, Order G-71, Under 18 (c)]

# MILK IN KAUKAUNA, KIMBERLY, AND LITTLECHUTE, WIS.

Order No. G-71 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of fluid milk prices for Kaukauna, Kimberly and Littlechute, Wisconsin.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) *Maximum prices.* Maximum prices for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Kaukauna, Kimberly and Littlechute, Wisconsin area are hereby established as follows:

	Wholesale	Retail
Regular, homogenized and chocolate milk:		
Gallon.....	\$0.40	\$0.44
½ gallon.....	.21	.23
Quart.....	.10½	.12
Pint.....	.06	.07
½ pint.....	.03	.04

(b) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Kaukauna, Kimberly and Littlechute, Wisconsin area shall mean:

i. All sales made within the city limits of Kaukauna, Kimberly and Littlechute, Wisconsin and all sales at or from an establishment located in Kaukauna, Kimberly and Littlechute, Wisconsin; and

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Kaukauna, Kimberly and Littlechute, Wisconsin.

2. Milk shall mean cow's milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(c) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.



(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 15th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13153; Filed, August 12, 1943;  
3:03 p. m.]

[Region VI Order G-72 Under 18 (c)]

#### MILK IN HILLSBORO, ILL.

Order No. G-72 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of fluid milk prices for Hillsboro, Illinois.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) *Maximum prices.* Maximum prices for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Hillsboro, Illinois area are hereby established as follows:

	Wholesale	Retail
Gallons.....	\$0.38	\$0.44
Quarts.....	.10	.12
Pints.....	.05½	.06½
½ pints.....	.03	.05

(b) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Hillsboro, Illinois area shall mean:

i. All sales made within the city limits of Hillsboro, Illinois and all sales at or from an establishment located in Hillsboro, Illinois; and

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Hillsboro, Illinois.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(c) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 10th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13154; Filed, August 12, 1943;  
3:04 p. m.]

[Region VI Order G-73 Under 18 (c) and  
MPR 329]

#### MILK IN ADAMS, WIS.

Order No. G-73 under § 1499.18 (c) of the General Maximum Price Regulation and under Maximum Price Regulation No. 329—Purchase of Milk from Producers for Resale as Fluid Milk. Adjustment of fluid milk prices for Adams, Wisconsin.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, and § 1351.408 of Maximum Price Regulation No. 329, *It is ordered:*

(a) *Maximum producer prices.* The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors whose establishments are located in Adams, Wisconsin shall be \$2.75 per cwt. for 3.6 percent milk, plus 5¢ for each 1/10 of a pound of butterfat in excess of 3.6 percent and less 5¢ for each 1/10 of a pound of butterfat below 3.6 percent.

(b) *Maximum distributor prices.* 1. The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Adams, Wisconsin area shall be:

	Wholesale	Retail
Regular milk:		
Gallon.....	\$0.36	\$0.44
Quart.....	.09½	.11½
Pint.....	.05	.06
½ pint.....	.04	.05

2. Where the maximum price set forth above is expressed in terms of a half cent, the price charged for a single unit at retail may be increased to the next even cent. Home deliveries at retail and all sales at wholesale shall be considered multiple unit sales unless separate collections are made for single units delivered.

(c) *Definitions.* For the purposes of this order:

1. Sales and deliveries with the Adams, Wisconsin area shall mean:

i. All sales made within the city limits of Adams, Wisconsin, and all sales at or from an establishment located in Adams, Wisconsin.

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Adams, Wisconsin.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, processed, distributed, and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

4. Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and § 1351.404 of Maximum Price Regulation No. 329, as the case may be, and section 302 of the Emergency

Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective June 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 17th day of June 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13155; Filed, August 12, 1943;  
3:04 p. m.]

[Region VI Order G-74 Under 18 (c), 75 (a),  
and MPR 165]

#### VEGETABLE HAULING AND RENTAL OF POWER UNITS IN WISCONSIN

Order No. G-74 under §§ 1499.18 (c) and 1499.75 (a) (3) of the General Maximum Price Regulation and under § 1499.114 (d) of Maximum Price Regulation No. 165—Services. Adjusted Maximum prices for vegetable hauling and rental of power units in Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region VI of the Office of Price Administration by §§ 1499.18 (c) and 1499.75 (a) (3) of the General Maximum Price Regulation, and under § 1499.114 (d) of Maximum Price Regulation No. 165—Services, *It is hereby ordered:*

(a) *What this order does.* This order allows a permitted increase in the established maximum prices for the hauling of "listed vegetables" from growing fields to vineries, canneries and other processing plants, and from vineries to canneries and other processing plants. The order also allows increases in the established maximum price for rental of "power units" used by vineries. The "established" maximum price for sellers who did not furnish the same or similar hauling or rental services in the past is determined by reference to the price of the most closely competitive seller, in accordance with the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 165—Services.

(b) *Permitted increases for hauling services.* The following additions may be made to the established maximum prices for hauling or rental services covered by this order:

(1) Any hauler who has a maximum price established on a truck-man-hour basis may add 30¢ per truck-man-hour to his maximum price.

(2) Any hauler whose maximum price is established on some basis other than a truck-man-hour basis may add to his established maximum price a sum equal to 25% thereof. The hauler shall calculate his charges on the unit (such as per cwt., per ton, per mile, per load, per hour, or any other basis) actually used by him in establishing his maximum price. All calculations of the unit charge shall be carried to the nearest one-tenth of a cent.

(3) The maximum price for the rental of any power unit to any canner or processor of listed vegetables shall be



the established maximum price plus a sum equal to 15% thereof.

(e) *Definitions.* As used in this order:

(1) "Listed vegetables" include the following vegetables and no others: Peas, carrots, corn, lima beans, tomatoes, beets, cabbage, snap beans, asparagus.

(2) "Truck-man-hour basis" refers to the practice of making a charge by the hour for the use of a vehicle in combination with the services of one man under an agreement or understanding whereby the lessor assumes the expense of operation and maintenance.

(3) "Hauling or rental services" include any transportation services and any leasing of transportation equipment, whether in combination with the services of a driver or otherwise. Services furnished by any person as an employee are not included.

(4) "Power unit" means any engine or motor used at vineries to furnish power in connection with the operations of a vinery.

(d) *Geographical applicability.* This order applies to hauling or rental services used in any transportation of listed vegetables from fields and vineries in Wisconsin and any transportation to vineries and processing plants located in Wisconsin. This order applies to all rental of "power units" to a vinery located in Wisconsin.

(e) *Revocability.* This order may be amended, corrected or revoked at any time.

(f) *Effective date.* This order shall become effective June 21, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13156; Filed, August 12, 1943;  
3:05 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS UNDER GENERAL ORDER 51

The following orders under General Order 51 were filed with the Division of the Federal Register on August 10, 1943.

##### REGION II

Camden Order 3, Amendment 4, Filed 4:37 p. m.  
Camden Order 5, Amendment 1, Filed 4:37 p. m.  
Rochester Order 2—Revocation—Filed 4:36 p. m.  
Rochester Revised Order 3, Filed 4:36 p. m.  
Rochester Revised Order 4, Filed 4:37 p. m.  
New York Order 4, Amendment 5, Filed 4:38 p. m.  
Binghamton Order 6, Amendment 2, Filed 4:39 p. m.  
District of Columbia Order 4, Amendment 2, Filed 4:41 p. m.  
District of Columbia Order 5, Filed 4:42 p. m.

##### REGION III

Charleston Order 5, Amendment 1, Filed 4:35 p. m.  
Charleston Order 5, Amendment 2, Filed 4:35 p. m.  
Charleston Order 6, Filed 4:35 p. m.  
Charleston Order 6, Amendment 1, Filed 4:34 p. m.  
Charleston Order 6, Amendment 2, Filed 4:34 p. m.

No. 161—6

Charleston Order 7, Filed 4:34 p. m.  
Charleston Order 7—Revoking—Filed 4:40 p. m.  
Charleston Order 8, Filed 4:33 p. m.  
Charleston Order 8, Amendment 1, Filed 4:33 p. m.  
Charleston Order 8, Amendment 2, Filed 4:39 p. m.  
Charleston Order 9, Filed 4:38 p. m.  
Charleston Order 10, Filed 4:41 p. m.  
Charleston Order 11, Filed 4:41 p. m.  
Charleston Order 12, Filed 4:40 p. m.  
Charleston Order 13, Filed 4:40 p. m.  
Detroit Order 5, Amendment 4, Filed 4:39 p. m.

##### REGION IV

South Carolina Order 6, Filed 4:40 p. m.

##### REGION V

St. Louis Order 4, Amendment 1, Filed 4:37 p. m.

##### REGION VI

Duluth-Superior Order 5, Filed 4:39 p. m.  
La Crosse Order 3—Revocation—Filed 4:37 p. m.

##### REGION VIII

San Francisco Order 5, Amendment 1, Filed 4:39 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-13159; Filed, August 12, 1943;  
2:59 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-68 and 59-55]

#### COMMUNITY GAS AND POWER COMPANY AND AMERICAN GAS AND POWER COMPANY

#### NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING, AND ORDER CONSOLIDATING SUCH PROCEEDING WITH PENDING PROCEEDING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of August, A. D. 1943.

In the matter of Community Gas and Power Company and American Gas and Power Company, File No. 54-68; Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, respondents, File No. 59-55.

##### I

Notice is hereby given that Community Gas and Power Company, a registered holding company, and American Gas and Power Company, a registered holding company and a subsidiary company of Community Gas and Power Company, have filed an amended plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effecting compliance with section 11 (b) of the Act.

All interested persons are referred to said amended plan, on file in the office of this Commission, for a full statement of the transactions therein proposed, which are summarized as follows:

(1) The charter of American Gas and Power Company ("American") will be amended so as to change its authorized

capital stock to 23,000 shares of preferred stock, par value \$100 per share, and 600,000 shares of common stock, par value \$7 per share. The preferred and common stocks of American shall have the preferences and rights presently possessed by the first preferred stock and common stock of Minneapolis Gas Light Company ("Minneapolis"), a Delaware corporation all of whose common stock is presently held by American, except that

(a) Whenever and as often as dividends payable on any series of preferred stock shall be accrued and unpaid in an amount equivalent to or exceeding four quarterly dividends, the preferred stock voting as a class shall be entitled to elect the smallest number of directors necessary to constitute a majority of the board of directors, and

(b) The common stock shall have preemptive rights to subscribe to any issues of common stock or securities convertible into common stock as such common stock or securities are sold or offered for cash.

(2) American will issue shares of its common stock which will be exchanged on the following bases:

(a) 47 shares of common stock for each \$1,000 principal amount of secured debentures, 6% series, of American outstanding, together with all accrued and unpaid interest thereon (\$500 debentures to receive 23½ shares);

(b) 46 shares of common stock for each \$1,000 principal amount of secured debentures, 5% series, of American outstanding, together with all accrued and unpaid interest thereon (\$500 debentures to receive 23 shares);

(c) One-fourth of a share of common stock for each share of American's common stock now outstanding.

American will issue its preferred stock in exchange for preferred stock of Minneapolis as hereinafter described.

No interest shall accrue or be payable upon the secured debentures of American subsequent to the fixed and conditional interest payable August 1, 1943.

Non-interest bearing, non-dividend bearing and non-voting scrip (exchangeable in round amounts for full shares and to become void unless so exchanged on or before December 31, 1945) shall be initially issued in lieu of fractional shares of common stock.

Scrip certificates representing fractional shares and warrants to purchase shares of common stock of American presently outstanding shall be void and of no further effect. Holders of secured debentures and of preferred and common stock of American not presented or surrendered pursuant to the 1935 Plan of Reorganization of American shall be entitled to receive shares of common stock of American (but no fractional interest therein) on the same basis as though such securities had been presented or surrendered under said 1935 Plan and the holders thereof had received the amended or new securities to which they were entitled under that Plan.

The following tabulation shows the principal amount of secured debentures and number of shares of common stock of American outstanding at April 30,



1943, together with the number of shares of common stock to be distributed in exchange therefor pursuant to the plan:

	Principal amount or number of shares outstanding at April 30, 1943	Number of shares of common stock to be issued in exchange
Secured debentures (6% series)	\$4,213,500	198,034.5 sh.
Secured debentures (5% series)	\$6,114,500	281,267 sh.
Common stock	189,037.5 sh.	47,499.375 sh.
		526,710.875 sh.

(3) The trustee under the debenture agreement of American and supplements thereto shall release and deliver to American all the securities and cash held in pledge thereunder, and shall execute and deliver to American an instrument of satisfaction and discharge of said agreement and all supplements thereto. Secured debentures held by American in its treasury shall be surrendered to the Trustee and cancelled.

(4) No vote or consent by security holders of American will be requested or obtained in connection with the transactions outlined above, except that the amendment to the charter of American, as proposed in the plan, will require a majority vote of American's common stockholders pursuant to section 26 of the Delaware Corporation Law.

(5) The 8,562½ shares of common stock of American to be received by Community Gas and Power Company ("Community") under the amended plan will be sold by Community for cash in the over-the-counter market and the proceeds, together with Community's other funds (after payment of its liabilities and expenses), will be distributed pro rata to Community's Class A and Class B common stockholders of record as of a date to be fixed by Community's Board of Directors, provided that the right to receive distribution in kind of said shares of common stock of American shall be given to Community's stockholders, but only to the extent that distribution can be made of full shares. No vote or consent by Community's stockholders shall be requested or obtained.

(6) American will make every reasonable effort to sell to non-affiliated interests all its holdings in Birmingham Gas Company ("Birmingham"), Savannah Gas Company ("Savannah"), St. Augustine Gas Company ("St. Augustine"), Bangor Gas Company ("Bangor"), and Lowell Gas Light Company ("Lowell"), and perhaps, along with Lowell, in American Utilities Associates ("Associates"), a subsidiary of American, holding common stock of Lowell, when, as and if reasonable offers are obtained, and subject to authorization by the Commission. The proceeds of sale of said holdings shall be paid by American to Minneapolis and to Jacksonville Gas Corporation, ratably in accordance with the amounts due (including accrued interest) on the certificates of indebtedness of American held by said corporations at the time of each such payment, and, after said certificates of indebtedness shall have been paid in full, the remaining proceeds of sale shall be con-

tributed by American to Minneapolis. At April 30, 1942, the certificates of indebtedness of American (including accrued interest) held by Minneapolis amounted to \$1,615,123 and those held by Jacksonville Gas Corporation amounted to \$71,887.

Minneapolis shall apply the moneys received by it from American, together with other funds available for the purpose, to the retirement of its outstanding participation units and first mortgage bonds by purchase or redemption, to the end that said participation units (aggregating \$1,205,133 at April 30, 1943) may be eliminated and said bonds (principal amount outstanding at April 30, 1943, \$11,772,000) may be reduced to \$9,000,000 principal amount, provided that said participation units shall be retired on or before December 31, 1944, whether or not Minneapolis shall have received any moneys from American. In the event that any of said holdings shall be sold by American prior to consummation of the provisions summarized in paragraphs 1, 2 and 3 above, the proceeds thereof shall be deposited with the Trustee under the Debenture Agreement of American and paid over to American pursuant to paragraph 3 hereof. Associates will be continued in existence until Lowell shall be sold, after which Associates will be dissolved and liquidated and its assets (subject to payment of its liabilities and expenses) transferred to American in satisfaction of the notes and indebtedness of Associates held by American.

(7) Upon completion of the sales and payments provided in paragraph 6 above:

(a) Minneapolis will, subject to the consent of the City of Minneapolis, transfer, assign and convey all its property, franchises and assets to American. American will assume all the indebtedness and liabilities of Minneapolis, including its first mortgage bonds, will qualify to do business in Minnesota, and will change its name to Minneapolis Gas Light Company. Such change of name will require a majority vote by the holders of the then outstanding common stock of American pursuant to section 26 of the Delaware Corporation Law. No vote or consent by Minneapolis' security holders shall be requested or obtained in connection with these transactions.

(b) Subject to the consent of the City of Minneapolis to an appropriate amendment of Minneapolis' franchise, American will issue shares of its authorized preferred stock as follows:

(i) 1 share of preferred stock, \$6 Series, for each outstanding share of first preferred stock, \$6 Series of Minneapolis (5,841 shares outstanding at April 30, 1943);

(ii) 1 share of preferred stock, \$5.50 Series, for each outstanding share of first preferred stock, \$5.50 Series, of Minneapolis (8,254 shares outstanding at April 30, 1943);

(iii) 1 share of preferred stock, \$5.10 Series, for each outstanding share of first preferred stock, \$5.10 Series, of Minneapolis (4,024 shares outstanding at April 30, 1943).

(iv) 1 share of preferred stock, \$5.00 Series, for each outstanding share of first

preferred stock, \$5.00 Series, of Minneapolis (4,448 shares outstanding at April 30, 1943).

(c) First mortgage bonds and first preferred stock held by Minneapolis in its treasury shall be cancelled and retired.

(d) American shall enter into a supplemental indenture with the Trustee under the first mortgage indenture of Minneapolis, whereby American shall assume and agree to pay the principal of and interest on the first mortgage bonds issued thereunder, shall agree to fulfill the covenants and conditions of said indenture, and further shall covenant and agree:

(i) To create a sinking fund for the bonds in an amount equal to \$100,000 per year, payable either in cash to be applied to the purchase or redemption of bonds or by certification of property additions upon the basis mentioned in clause (iii) below;

(ii) To change the date from and after which property additions may be used as the basis for authentication of bonds or withdrawal of cash to the date of said supplemental indenture to be entered into;

(iii) To change the basis upon which bonds may be authenticated or cash withdrawn against certification of property additions from 70% to 60%.

(e) Minneapolis will be dissolved pursuant to section 39 of the Delaware Corporation Law and its common stock (together with the option to purchase additional shares thereof held by American) will be cancelled.

(f) Public Utilities Management Corporation shall be dissolved pursuant to section 105 of the New York Stock Corporation Law and all its assets (subject to payment of its liabilities and expenses) shall be transferred to American.

8. Community and American request that this Commission approve the Plan in accordance with section 11 (e) of the Act and apply to a court in accordance with the provisions of section 18 (f) of the Act to enforce and carry out the terms and provisions of the Plan. Community and American request that, in order that they may have the benefit of applicable provisions of the Internal Revenue Code, this Commission approve the Plan as necessary or appropriate to effectuate the provisions of section 11 (b) of the Act and specify and itemize the issues, transfers and exchanges of securities and the conveyances called for by the Plan.

Community and American reserve all their constitutional and legal rights and the right to amend, modify and alter the Plan from time to time as may be desirable or appropriate.

## II

By Notice of Filing and Order for Hearing dated September 24, 1942, this Commission instituted proceedings against Community, American and their subsidiary companies under sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Act.

During the pendency of said proceedings, Community and American submitted a plan under section 11 (e) of the Act (which plan has now been amended as set forth above), and Alfred MacArthur.



Donald H. Carter, H. R. Baxter, H. W. Volk and Robert L. MacPhail, acting as a Committee for the secured debentures of American, which Committee had been granted leave to be heard in said proceedings, filed with the Commission a petition for leave to file modifications to the plan theretofore filed by Community and American.

Certain of the issues in said proceedings instituted by our order of September 24, 1942, were determined, and jurisdiction was reserved as to the remaining issues, by Order of this Commission dated July 2, 1943, on the basis of Findings and Opinion entered the same day.

In said Order dated July 2, 1943, this Commission ordered, among other things, that American dispose, or cause the disposition of its direct and indirect ownership, control and holding of securities issued and properties owned, controlled or operated by Birmingham, Savannah, Jacksonville Gas Company, St. Augustine, Bangor, Lowell, and Associates; that the corporate existence of Community and Associates be terminated and that Community and Associates be liquidated and dissolved; and that American change its present capital structure, consisting of secured debentures, indebtedness owed to subsidiary companies and common stock, into a capital structure consisting of one class of stock, namely common stock.

In and by said Order dated July 2, 1943, jurisdiction was reserved to this Commission to consider all other issues raised in the Notice of Filing and Order for Hearing of September 24, 1942, not then decided, including among others, questions relating to the disposition of the proceeds of any sales consummated pursuant to section 11 (b) (1) of said Act, the corporate structure of Minneapolis under sections 11 (b) (2), 12 (c) and 12 (f) of said Act, accounts under sections 15 (a), 15 (f) and 20 (a) of said Act, and the continued existence of American under section 11 (b) (2) of said Act.

### III

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said amended plan, and that said amended plan should not be approved except pursuant to further order of this Commission;

It further appearing to the Commission that some of the evidence in the pending proceedings under sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) (File No. 59-55) is also relevant to the issues presented by said amended plan, and that proceedings in respect of said amended plan and said proceedings instituted by this Commission involve common questions of law and fact and should be consolidated; it is

Ordered, That such proceedings be and the same are hereby consolidated.

Further ordered, That a hearing on such matters under the applicable provisions of the Act and Rules of this Commission thereunder be held on September 20, 1943 at 10:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pennsyl-

vania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

Further ordered, That William W. Swift, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Further ordered, That without limiting the scope of the issues presented in the consolidated proceedings, particular attention will be directed at the hearings to the following matters and questions:

(1) Whether the amended plan, as submitted or as hereafter modified, is necessary to effectuate the provision of section 11 (b) of the Act and is fair and equitable to the persons to be affected thereby.

(2) Whether consummation of the amended plan, as submitted or as hereafter modified, would constitute compliance with the Order of this Commission dated July 2, 1943. (File No. 59-55).

(3) Whether the proposed allocation of the common stock to be issued by American, among holders of the 6% debentures, 5% debentures, and presently outstanding common stock of American, is fair and equitable to each class of security holders.

(4) Whether the proposed application of the proceeds of sales by American of its holdings in Birmingham, Savannah, St. Augustine, Bangor and Lowell is fair and equitable to the creditors and security holders of American.

(5) Whether the proposed securities to be issued by American will be reasonably adapted to its security structure and earning power, and whether State laws applicable thereto will have been complied with.

(6) Whether, in the event that the Commission shall approve such plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the Act (as well as section 11 (e)) so as to permit the Commission of its own motion and irrespective of request therefor on the part of Community or American, to apply to a court for the enforcement of such plan pursuant to section 11 (d);

(7) Whether, in the event that the Commission shall not approve such plan as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona fide interest in the reorganization of Community or American;

(8) What fees and expenses are proposed to be paid in connection with the consummation of the amended plan, and whether such proposed fees and expenses are reasonable in amount.

(9) Generally, whether the proposed transactions are in all respects in the public in-

terest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the Rules thereunder, and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

Further ordered, That notice of said hearing is hereby given to Community Gas and Power Company, American Gas and Power Company and their subsidiary companies and to all interested persons; said notice to be given to Community Gas and Power Company and American Gas and Power Company by registered mail, and to all other persons by publication of this Notice and Order in the FEDERAL REGISTER and by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935. It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of this Commission on or before September 13, 1943 an appropriate request or application to be heard, as provided by Rule XVII of the Commission's Rules of Practice.

Further ordered, That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these proceedings or to consolidate with these proceedings other filings or matters pertaining to said amended plan and to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-13170; Filed, August 13, 1943;  
9:42 a. m.]

### WAR PRODUCTION BOARD.

#### NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS

The War Production Board has issued certain Revocation Orders revoking Special Directions dated December 8, 1942, issued in connection with certain synthetic rubber facilities construction projects to which Urgency Numbers listed below were assigned. For the effect of such Revocation Order the Builder and Suppliers affected shall refer to the specific Order issued to the Builder:

Urgency rating No.	Builders' serial No.	Name and address of builder	Plancon No.	Location of project
20	3278A	Dow Chemical Company, Midland, Michigan.....		Midland, Mich.
60	874A	B. F. Goodrich Company, Akron, Ohio.....	128	Louisville, Ky.
63	883B	U. S. Rubber Company, 1230 Sixth Avenue, New York, New York.....	980	Institute, W. Va.
64	2853B	Goodyear Tire & Rubber Co., Akron, Ohio.....	877	Baytown, Tex.

Issued this 12th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-13137; Filed, August 12, 1943; 11:26 a. m.]



